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House File 2465

H-8422

1 Amend House File 2465 as follows:
2 1. Page 2, before line 32 by inserting:
3 <Sec. _____. Section 8A.311, Code Supplement 2011, is
4 amended by adding the following new subsections:
5 NEW SUBSECTION. 12A. a. If the lowest responsive
6 bid received by the state or a political subdivision
7 for products or other purchases is from an out-of-state
8 business and totals less than five hundred thousand
9 dollars, and an Iowa-based business submitted a bid
10 which is within five percent or ten thousand dollars
11 of the price of the lowest bid, whichever is less,
12 the Iowa-based business which submitted the lowest
13 responsive bid shall be notified and shall be allowed
14 to match the lowest bid before a contract is awarded.
15 b. This subsection does not apply to a request
16 for bids or proposals for products or other purchases
17 associated with the following:
18 (1) Road or bridge construction or repair.
19 (2) Architectural or engineering services.
20 NEW SUBSECTION. 12B. a. A response to a request
21 for bids or proposals for products or other purchases
22 by the state or a political subdivision which totals
23 less than five hundred thousand dollars in value shall
24 contain the following information:
25 (1) The percentage of the ownership of the
26 submitting business which is held by Iowa residents.
27 (2) The percentage of the employees who will be
28 carrying out work in connection with the contract
29 who are Iowa residents. For the purposes of this
30 paragraph, "employee" includes part-time, temporary,
31 contract, and substitute employees, and includes
32 employees of any contractors or subcontractors.
33 (3) An estimate of the percentage of purchases
34 to be made by the submitting business in connection
35 with the contract that will be made from Iowa-based
36 businesses.
37 (4) The amount of property tax paid by the
38 submitting business during the most recently completed
39 fiscal year for which such a figure is available.
40 b. This subsection does not apply to a request
41 for bids or proposals for products or other purchases
42 associated with the following:
43 (1) Road or bridge construction or repair.
44 (2) Architectural or engineering services.
45 NEW SUBSECTION. 12C. Subsections 12A and 12B do
46 not apply to procurement of or for a public improvement
47 as defined in section 26.2.>
48 2. By renumbering as necessary.

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THOMAS of Clayton



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House File 2435

H-8423

1 Amend House File 2435 as follows:
2 1. Page 52, after line 3 by inserting:
3 <REBASING STUDY —
4 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS
5 Sec. _____. 2011 Iowa Acts, chapter 129, section 141,
6 is amended by adding the following new subsection:
7 NEW SUBSECTION. 10A. The department of human
8 services, Iowa Medicaid enterprise, shall review
9 reimbursement of home health agency and home and
10 community-based services waiver services providers
11 and shall submit a recommendation for a rebasing
12 methodology applicable to such providers to the
13 individuals identified in this division of this Act for
14 receipt of reports by December 31, 2012.>
15 2. By renumbering as necessary.

HEDDENS of Story

HEATON of Henry



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House File 2462

H-8424

1 Amend House File 2462 as follows:
2 1. Page 1, after line 15 by inserting:
3 <Sec. _____. Section 261.9, subsection 1, unnumbered
4 paragraph 1, Code Supplement 2011, is amended to read
5 as follows:
6 "Accredited private institution" means an institution
7 of higher learning located in Iowa which is operated
8 privately and not controlled or administered by any
9 state agency or any subdivision of the state and which
10 meets the criteria in paragraphs "a" and "b" and all
11 of the criteria in paragraphs "d" through "g" "h",
12 except that institutions defined in paragraph "c" of
13 this subsection are exempt from the requirements of
14 paragraphs "a" and "b":
15 Sec. _____. Section 261.9, subsection 1, Code
16 Supplement 2011, is amended by adding the following new
17 paragraph:
18 NEW PARAGRAPH. h. Commences the fall schedule of
19 its classes no sooner than the earliest start date
20 for elementary and secondary schools as specified in
21 section 279.10, subsection 1.>
22 2. Title page, by striking line 1 and inserting <An
23 Act relating to the fall class start dates for school
24 districts and accredited private institutions,>
25 3. By renumbering as necessary.

MASCHER of Johnson

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Senate Amendment to
House File 2337

H-8425

1 Amend House File 2337, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 FY 2012 — 2013 APPROPRIATIONS

7 Section 1. 2011 Iowa Acts, chapter 130, section 48,
8 is amended to read as follows:

9 SEC. 48. DEPARTMENT OF CULTURAL AFFAIRS. There
10 is appropriated from the general fund of the state to
11 the department of cultural affairs for the fiscal year
12 beginning July 1, 2012, and ending June 30, 2013, the
13 following amounts, or so much thereof as is necessary,
14 to be used for the purposes designated:

15 1. ADMINISTRATION

16 For salaries, support, maintenance, miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions for the department:

19 \$ 85,907
20 171,813
21 FTEs 74.50

22 The department of cultural affairs shall coordinate
23 activities with the tourism office of the ~~department of~~
24 economic development authority to promote attendance
25 at the state historical building and at this state's
26 historic sites.

27 Full-time equivalent positions authorized under
28 this subsection shall be funded, in full or in part,
29 using moneys appropriated under this subsection and
30 subsections 3 through 7.

31 2. COMMUNITY CULTURAL GRANTS

32 For planning and programming for the community
33 cultural grants program established under section
34 303.3:

35 \$ 86,045
36 172,090

37 3. HISTORICAL DIVISION

38 For the support of the historical division:

39 \$ 1,383,851
40 2,767,701

41 4. HISTORIC SITES

42 For the administration and support of historic
43 sites:

44 \$ 213,199
45 426,398

46 5. ARTS DIVISION

47 For the support of the arts division:

48 \$ 466,882
49 933,764

50 6. IOWA GREAT PLACES

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1 For the Iowa great places program established under
2 section 303.3C:
3 \$ 75,000
4 150,000
5 7. ARCHIVE IOWA GOVERNORS' RECORDS
6 For archiving the records of Iowa governors:
7 \$ 32,967
8 65,933
9 8. RECORDS CENTER RENT
10 For payment of rent for the state records center:
11 \$ 113,622
12 227,243
13 9. BATTLE FLAGS
14 For continuation of the project recommended by the
15 Iowa battle flag advisory committee to stabilize the
16 condition of the battle flag collection:
17 \$ 30,000
18 60,000
19 10. FILM OFFICE
20 For salaries, support, maintenance, miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:
23 \$ 200,000
24 FTEs 2.00
25 11. CULTURAL TRUST FUND
26 For deposit in the Iowa cultural trust fund created
27 in section 303A.4:
28 \$ 200,000
29 The board of trustees of the Iowa cultural trust
30 shall annually prepare a report for submission to the
31 governor, the general assembly, and the legislative
32 services agency regarding the activities, projects,
33 and programs funded with moneys allocated under this
34 subsection. This report shall be submitted each year
35 by January 15.
36 Sec. 2. 2011 Iowa Acts, chapter 130, section 49, is
37 amended to read as follows:
38 SEC. 49. GOALS AND ACCOUNTABILITY — ECONOMIC
39 DEVELOPMENT.
40 1. For the fiscal year beginning July 1, 2012,
41 the goals for the ~~department~~ of economic development
42 authority shall be to expand and stimulate the state
43 economy, increase the wealth of Iowans, and increase
44 the population of the state.
45 2. To achieve the goals in subsection 1, the
46 ~~department~~ of economic development authority shall do
47 all of the following for the fiscal year beginning July
48 1, 2012:
49 a. Concentrate its efforts on programs and
50 activities that result in commercially viable products

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1 and services.
2 b. Adopt practices and services consistent with
3 free market, private sector philosophies.
4 c. Ensure economic growth and development
5 throughout the state.
6 d. Work with businesses and communities to
7 continually improve the economic development climate
8 along with the economic well-being and quality of life
9 for Iowans.
10 e. Coordinate with other state agencies to
11 ensure that they are attentive to the needs of an
12 entrepreneurial culture.
13 f. Establish a strong and aggressive marketing
14 image to showcase Iowa's workforce, existing industry,
15 and potential. A priority shall be placed on
16 recruiting new businesses, business expansion, and
17 retaining existing Iowa businesses. Emphasis shall be
18 placed on entrepreneurial development through helping
19 entrepreneurs secure capital, and developing networks
20 and a business climate conducive to entrepreneurs and
21 small businesses.
22 g. Encourage the development of communities and
23 quality of life to foster economic growth.
24 h. Prepare communities for future growth and
25 development through development, expansion, and
26 modernization of infrastructure.
27 i. Develop public-private partnerships with
28 Iowa businesses in the tourism industry, Iowa tour
29 groups, Iowa tourism organizations, and political
30 subdivisions in this state to assist in the development
31 of advertising efforts.
32 j. Develop, to the fullest extent possible,
33 cooperative efforts for advertising with contributions
34 from other sources.
35 Sec. 3. 2011 Iowa Acts, chapter 130, section 50,
36 subsections 1, 2, 4, 5, and 6, are amended to read as
37 follows:
38 1. APPROPRIATION
39 There is appropriated from the general fund of
40 the state to the ~~department of~~ economic development
41 authority for the fiscal year beginning July 1, 2012,
42 and ending June 30, 2013, the following amounts, or
43 so much thereof as is necessary, to be used for the
44 purposes designated in subsection 2, and for not more
45 than the following full-time equivalent positions:
46 \$ 4,891,712
47 9,783,424
48 FTEs 149.00
49 2. DESIGNATED PURPOSES
50 a. For salaries, support, miscellaneous purposes,

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1 programs, and the maintenance of an administration
2 division, a business development division, and a
3 community development division.

4 b. The full-time equivalent positions authorized
5 under this section shall be funded, in whole or in
6 part, by the moneys appropriated under subsection 1 or
7 by other moneys received by the department authority,
8 including certain federal moneys.

9 c. For business development operations and
10 programs, ~~the film office~~, international trade, export
11 assistance, workforce recruitment, and the partner
12 state program.

13 d. For transfer to the strategic investment fund
14 created in section 15.313.

15 e. For community economic development programs,
16 tourism operations, community assistance, plans
17 for Iowa green corps and summer youth programs,
18 the mainstreet and rural mainstreet programs, the
19 school-to-career program, the community development
20 block grant, and housing and shelter-related programs.

21 f. For achieving the goals and accountability, and
22 fulfilling the requirements and duties required under
23 this Act.

24 4. FINANCIAL ASSISTANCE RESTRICTIONS

25 a. A business creating jobs through moneys
26 appropriated in this section shall be subject to
27 contract provisions requiring new and retained jobs to
28 be filled by individuals who are citizens of the United
29 States who reside within the United States or any
30 person authorized to work in the United States pursuant
31 to federal law, including legal resident aliens in the
32 United States.

33 b. Any vendor who receives moneys appropriated in
34 this section shall adhere to such contract provisions
35 and provide periodic assurances as the state shall
36 require that the jobs are filled solely by citizens of
37 the United States who reside within the United States
38 or any person authorized to work in the United States
39 pursuant to federal law, including legal resident
40 aliens in the United States.

41 c. A business that receives financial assistance
42 from the department authority from moneys appropriated
43 in this section shall only employ individuals legally
44 authorized to work in this state. In addition to all
45 other applicable penalties provided by current law, all
46 or a portion of the assistance received by a business
47 which is found to knowingly employ individuals not
48 legally authorized to work in this state is subject to
49 recapture by the department authority.

50 5. USES OF APPROPRIATIONS

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1 a. From the moneys appropriated in this section,
2 the ~~department~~ authority may provide financial
3 assistance in the form of a grant to a community
4 economic development entity for conducting a local
5 workforce recruitment effort designed to recruit former
6 citizens of the state and former students at colleges
7 and universities in the state to meet the needs of
8 local employers.
9 b. From the moneys appropriated in this section,
10 the ~~department~~ authority may provide financial
11 assistance to early stage industry companies being
12 established by women entrepreneurs.
13 c. From the moneys appropriated in this section,
14 the ~~department~~ authority may provide financial
15 assistance in the form of grants, loans, or forgivable
16 loans for advanced research and commercialization
17 projects involving value-added agriculture, advanced
18 technology, or biotechnology.
19 d. The ~~department~~ authority shall not use any
20 moneys appropriated in this section for purposes of
21 providing financial assistance for the Iowa green
22 streets pilot project or for any other program or
23 project that involves the installation of geothermal
24 systems for melting snow and ice from streets or
25 sidewalks.
26 6. WORLD FOOD PRIZE
27 For allocating moneys for the world food prize and
28 ~~notwithstanding in lieu of~~ the standing appropriation
29 in section 15.368, subsection 1:
30 \$ 250,000
31 750,000
32 Sec. 4. 2011 Iowa Acts, chapter 130, section 50,
33 subsection 7, unnumbered paragraphs 1 and 2, are
34 amended to read as follows:
35 For allocation to the Iowa commission on volunteer
36 service for the Iowa's promise and mentoring
37 partnership programs, for transfer to the Iowa state
38 commission grant program, and for not more than the
39 following full-time equivalent positions:
40 \$ 89,067
41 178,133
42 FTEs 7.00
43 Of the moneys appropriated in this subsection, the
44 ~~department~~ authority shall allocate ~~\$37,500~~ \$75,000 for
45 purposes of the Iowa state commission grant program and
46 ~~\$51,567~~ \$103,133 for purposes of the Iowa's promise and
47 mentoring partnership programs.
48 Sec. 5. 2011 Iowa Acts, chapter 130, section 51, is
49 amended to read as follows:
50 SEC. 51. VISION IOWA PROGRAM — FTE

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1 AUTHORIZATION. For purposes of administrative duties
2 associated with the vision Iowa program for the fiscal
3 year beginning July 1, 2012, the ~~department of~~ economic
4 development authority is authorized an additional 2.25
5 FTEs above those otherwise authorized in this division
6 of this Act.

7 Sec. 6. 2011 Iowa Acts, chapter 130, section 52, is
8 amended to read as follows:

9 SEC. 52. INSURANCE ECONOMIC DEVELOPMENT. From
10 the moneys collected by the division of insurance
11 in excess of the anticipated gross revenues under
12 section 505.7, subsection 3, during the fiscal year
13 beginning July 1, 2012, \$100,000 shall be transferred
14 to the ~~department of~~ economic development authority
15 for insurance economic development and international
16 insurance economic development.

17 Sec. 7. 2011 Iowa Acts, chapter 130, section 53, is
18 amended to read as follows:

19 SEC. 53. COMMUNITY DEVELOPMENT LOAN
20 FUND. Notwithstanding section 15E.120, subsection
21 5, there is appropriated from the Iowa community
22 development loan fund all moneys available during the
23 fiscal year beginning July 1, 2012, and ending June
24 30, 2013, to the ~~department of~~ economic development
25 authority for purposes of the community development
26 program.

27 Sec. 8. 2011 Iowa Acts, chapter 130, is amended by
28 adding the following new section:

29 SEC. 53A. INCENTIVE FUND. There is appropriated
30 from the general fund of the state to the economic
31 development authority for the fiscal year beginning
32 July 1, 2012, and ending June 30, 2013, the following
33 amount to be used for the purposes of incentives and
34 assistance to create high quality jobs and pursuant to
35 chapter 15:

36 \$ 20,000,000

37 Notwithstanding section 8.33, moneys appropriated in
38 this section that remain unencumbered or unobligated
39 at the close of the fiscal year shall not revert but
40 shall remain available for expenditure for the purposes
41 designated until the close of the succeeding fiscal
42 year.

43 Sec. 9. 2011 Iowa Acts, chapter 130, is amended by
44 adding the following new section:

45 SEC. 53B. MAIN STREET. There is appropriated
46 from the general fund of the state to the economic
47 development authority for the fiscal year beginning
48 July 1, 2012, and ending June 30, 2013, the following
49 amount to be used for the purposes of the United
50 States department of housing and urban development's

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1 main street challenge grants for historic building
2 preservation:
3 \$ 100,000
4 Notwithstanding section 8.33, moneys appropriated in
5 this section that remain unencumbered or unobligated
6 at the close of the fiscal year shall not revert but
7 shall remain available for expenditure for the purposes
8 designated until the close of the succeeding fiscal
9 year.
10 Sec. 10. 2011 Iowa Acts, chapter 130, section 54,
11 is amended to read as follows:
12 SEC. 54. WORKFORCE DEVELOPMENT FUND. There is
13 appropriated from the workforce development fund
14 account created in section 15.342A to the workforce
15 development fund created in section 15.343 for the
16 fiscal year beginning July 1, 2012, and ending June
17 30, 2013, the following amount, for purposes of the
18 workforce development fund:
19 \$ ~~2,000,000~~
20 4,000,000
21 Sec. 11. 2011 Iowa Acts, chapter 130, section 55,
22 is amended to read as follows:
23 SEC. 55. WORKFORCE DEVELOPMENT ADMINISTRATION.
24 From moneys appropriated or transferred to or receipts
25 credited to the workforce development fund created in
26 section 15.343, up to \$400,000 for the fiscal year
27 beginning July 1, 2012, and ending June 30, 2013, are
28 appropriated to the ~~department of~~ economic development
29 authority for the administration of workforce
30 development activities including salaries, support,
31 maintenance, and miscellaneous purposes, and for not
32 more than the following full-time equivalent positions:
33 FTEs 4.00
34 Sec. 12. 2011 Iowa Acts, chapter 130, section 57,
35 is amended to read as follows:
36 SEC. 57. IOWA STATE UNIVERSITY.
37 1. There is appropriated from the general fund
38 of the state to Iowa state university of science
39 and technology for the fiscal year beginning July
40 1, 2012, and ending June 30, 2013, the following
41 amount, or so much thereof as is necessary, to be used
42 for small business development centers, the science
43 and technology research park, and the institute for
44 physical research and technology, and for not more than
45 the following full-time equivalent positions:
46 \$ ~~1,212,151~~
47 2,424,302
48 FTEs 56.63
49 2. Of the moneys appropriated in subsection 1,
50 Iowa state university of science and technology shall

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1 allocate at least ~~\$468,178~~ \$936,345 for purposes of
2 funding small business development centers. Iowa state
3 university of science and technology may allocate
4 moneys appropriated in subsection 1 to the various
5 small business development centers in any manner
6 necessary to achieve the purposes of this subsection.
7 3. Iowa state university of science and technology
8 shall do all of the following:
9 a. Direct expenditures for research toward projects
10 that will provide economic stimulus for Iowa.
11 b. Provide emphasis to providing services to
12 Iowa-based companies.
13 4. It is the intent of the general assembly
14 that the industrial incentive program focus on Iowa
15 industrial sectors and seek contributions and in-kind
16 donations from businesses, industrial foundations, and
17 trade associations, and that moneys for the institute
18 for physical research and technology industrial
19 incentive program shall be allocated only for projects
20 which are matched by private sector moneys for directed
21 contract research or for nondirected research. The
22 match required of small businesses as defined in
23 section 15.102, subsection ~~6~~ 10, for directed contract
24 research or for nondirected research shall be \$1 for
25 each \$3 of state funds. The match required for other
26 businesses for directed contract research or for
27 nondirected research shall be \$1 for each \$1 of state
28 funds. The match required of industrial foundations
29 or trade associations shall be \$1 for each \$1 of state
30 funds.
31 Iowa state university of science and technology
32 shall report annually to the joint appropriations
33 subcommittee on economic development and the
34 legislative services agency the total amount of
35 private contributions, the proportion of contributions
36 from small businesses and other businesses, and
37 the proportion for directed contract research and
38 nondirected research of benefit to Iowa businesses and
39 industrial sectors.
40 5. Notwithstanding section 8.33, moneys
41 appropriated in this section that remain unencumbered
42 or unobligated at the close of the fiscal year shall
43 not revert but shall remain available for expenditure
44 for the purposes designated until the close of the
45 succeeding fiscal year.
46 Sec. 13. 2011 Iowa Acts, chapter 130, section 58,
47 is amended to read as follows:
48 SEC. 58. UNIVERSITY OF IOWA.
49 1. There is appropriated from the general fund
50 of the state to the state university of Iowa for the

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1 fiscal year beginning July 1, 2012, and ending June
2 30, 2013, the following amount, or so much thereof
3 as is necessary, to be used for the state university
4 of Iowa research park and for the advanced drug
5 development program at the Oakdale research park,
6 including salaries, support, maintenance, equipment,
7 miscellaneous purposes, and for not more than the
8 following full-time equivalent positions:
9 \$ 104,640
10 209,279
11 FTEs 6.00
12 2. The state university of Iowa shall do all of the
13 following:
14 a. Direct expenditures for research toward projects
15 that will provide economic stimulus for Iowa.
16 b. Provide emphasis to providing services to
17 Iowa-based companies.
18 3. Notwithstanding section 8.33, moneys
19 appropriated in this section that remain unencumbered
20 or unobligated at the close of the fiscal year shall
21 not revert but shall remain available for expenditure
22 for the purposes designated until the close of the
23 succeeding fiscal year.
24 Sec. 14. 2011 Iowa Acts, chapter 130, section 59,
25 is amended to read as follows:
26 SEC. 59. UNIVERSITY OF NORTHERN IOWA.
27 1. There is appropriated from the general fund of
28 the state to the university of northern Iowa for the
29 fiscal year beginning July 1, 2012, and ending June 30,
30 2013, the following amount, or so much thereof as is
31 necessary, to be used for the metal casting institute,
32 the MyEntreNet internet application, and the institute
33 of decision making, including salaries, support,
34 maintenance, miscellaneous purposes, and for not more
35 than the following full-time equivalent positions:
36 \$ 287,358
37 718,716
38 FTEs 6.75
39 2. Of the moneys appropriated pursuant to
40 subsection 1, the university of northern Iowa shall
41 allocate at least ~~\$58,820~~ \$261,639 for purposes of
42 support of entrepreneurs and small and micro businesses
43 through the university's regional business center.
44 3. The university of northern Iowa shall do all of
45 the following:
46 a. Direct expenditures for research toward projects
47 that will provide economic stimulus for Iowa.
48 b. Provide emphasis to providing services to
49 Iowa-based companies.
50 4. Notwithstanding section 8.33, moneys

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1 appropriated in this section that remain unencumbered
2 or unobligated at the close of the fiscal year shall
3 not revert but shall remain available for expenditure
4 for the purposes designated until the close of the
5 succeeding fiscal year.
6 Sec. 15. 2011 Iowa Acts, chapter 130, is amended by
7 adding the following new section:
8 SEC. 60A. REGENTS INNOVATION FUND.
9 1. There is appropriated from the general fund
10 of the state to the institutions of higher learning
11 under the control of the state board of regents for the
12 fiscal year beginning July 1, 2012, and ending June 30,
13 2013, the following amount to be used for the purposes
14 provided in this section:
15 \$ 3,800,000
16 Of the moneys appropriated pursuant to this section,
17 thirty-five percent shall be allocated for Iowa state
18 university, thirty-five percent shall be allocated
19 for university of Iowa, and thirty percent shall be
20 allocated for university of northern Iowa.
21 2. The institutions shall use moneys appropriated
22 in this section for capacity building infrastructure
23 in areas related to technology commercialization,
24 marketing and business development efforts in
25 areas related to technology commercialization,
26 entrepreneurship, and business growth, and
27 infrastructure projects and programs needed to assist
28 in the implementation of activities under chapter 262B.
29 3. The institutions shall provide a one-to-one
30 match of additional moneys for the activities funded
31 with moneys appropriated under this section.
32 4. The state board of regents shall annually
33 prepare a report for submission to the governor, the
34 general assembly, and the legislative services agency
35 regarding the activities, projects, and programs
36 funded with moneys allocated under this section. The
37 report shall be provided in an electronic format and
38 shall include a list of metrics and criteria mutually
39 agreed to in advance by the board of regents and
40 the economic development authority. The metrics and
41 criteria shall allow the governor's office and the
42 general assembly to quantify and evaluate the progress
43 of the board of regents institutions with regard to
44 their activities, projects, and programs in the areas
45 of technology commercialization, entrepreneurship,
46 regional development, and market research.
47 Sec. 16. 2011 Iowa Acts, chapter 130, section 67,
48 subsection 1, is amended to read as follows:
49 1. There is appropriated from the general fund
50 of the state to the Iowa finance authority for the

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1 fiscal year beginning July 1, 2012, and ending June 30,
2 2013, the following amount, or so much thereof as is
3 necessary, to be used to provide reimbursement for rent
4 expenses to eligible persons under the rent subsidy
5 program:

6 \$ 329,000
7 658,000

8 Sec. 17. 2011 Iowa Acts, chapter 130, section 69,
9 is amended to read as follows:

10 SEC. 69. PUBLIC EMPLOYMENT RELATIONS BOARD.

11 1. There is appropriated from the general fund of
12 the state to the public employment relations board for
13 the fiscal year beginning July 1, 2012, and ending June
14 30, 2013, the following amount, or so much thereof as
15 is necessary, for the purposes designated:

16 For salaries, support, maintenance, miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions:

19 \$ 528,936
20 1,148,426
21 FTEs 10.00

22 2. Of the moneys appropriated in this section,
23 the board shall allocate \$15,000 for maintaining a
24 website that allows searchable access to a database of
25 collective bargaining information.

26 DIVISION II

27 FY 2012 — 2013 WORKFORCE DEVELOPMENT APPROPRIATIONS

28 Sec. 18. LEGISLATIVE FINDINGS. It is the finding
29 of the general assembly that the recent Iowa supreme
30 court decision of Homan v. Branstad, No. 11-2022,
31 March 16, 2012, has invalidated the proper enactment
32 of certain provisions contained in the 2011 Iowa Acts,
33 chapter 130 (Senate File 517). It is the intent of
34 the general assembly to reenact, as amended, certain
35 invalidated provisions of Senate File 517 that were
36 published in the 2011 Iowa Acts and to validate actions
37 entered into in reliance on the enactment of the
38 invalidated provisions published in the 2011 Iowa Acts.

39 Sec. 19. DEPARTMENT OF WORKFORCE
40 DEVELOPMENT. There is appropriated from the general
41 fund of the state to the department of workforce
42 development for the fiscal year beginning July 1, 2012,
43 and ending June 30, 2013, the following amounts, or
44 so much thereof as is necessary, for the purposes
45 designated:

46 1. DIVISION OF LABOR SERVICES

47 a. For the division of labor services, including
48 salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-time
50 equivalent positions:

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1 \$ 3,548,440
2 FTEs 65.00
3 b. From the contractor registration fees, the
4 division of labor services shall reimburse the
5 department of inspections and appeals for all costs
6 associated with hearings under chapter 91C, relating
7 to contractor registration.
8 c. Of the moneys appropriated under this
9 subsection, the department shall allocate \$53,000 for
10 the purpose of employing an additional investigator to
11 investigate wage enforcement.
12 2. DIVISION OF WORKERS' COMPENSATION
13 a. For the division of workers' compensation,
14 including salaries, support, maintenance, miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:
17 \$ 3,102,044
18 FTEs 31.00
19 b. The division of workers' compensation shall
20 charge a \$100 filing fee for workers' compensation
21 cases. The filing fee shall be paid by the petitioner
22 of a claim. However, the fee can be taxed as a cost
23 and paid by the losing party, except in cases where
24 it would impose an undue hardship or be unjust under
25 the circumstances. The moneys generated by the filing
26 fee allowed under this subsection are appropriated to
27 the department of workforce development to be used for
28 purposes of administering the division of workers'
29 compensation.
30 c. Of the moneys appropriated under this
31 subsection, the department shall allocate \$153,000 for
32 the purpose of employing a chief deputy commissioner.
33 3. WORKFORCE DEVELOPMENT OPERATIONS
34 a. For the operation of field offices, the
35 workforce development board, and for not more than the
36 following full-time equivalent positions:
37 \$ 9,671,352
38 FTEs 130.00
39 b. Of the moneys appropriated in paragraph "a" of
40 this subsection, the department shall allocate at least
41 \$1,130,602 for the operation of satellite field offices
42 in Decorah, Fort Madison, Iowa City, and Webster City,
43 and of the moneys appropriated in paragraph "a" of this
44 subsection, the department shall allocate \$150,000
45 to the state library for the purpose of licensing an
46 online resource which prepares persons to succeed in
47 the workplace through programs which improve job skills
48 and vocational test-taking abilities.
49 c. Of the moneys appropriated in paragraph "a" of
50 this subsection the department shall not allocate more

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1 than \$208,294 for the purpose of the administration
2 cost pool.
3 4. OFFENDER REENTRY PROGRAM
4 a. For the development and administration of an
5 offender reentry program to provide offenders with
6 employment skills, and for not more than the following
7 full-time equivalent positions:
8 \$ 284,464
9 FTEs 4.00
10 b. The department shall partner with the department
11 of corrections to provide staff within the correctional
12 facilities to improve offenders' abilities to find and
13 retain productive employment.
14 5. NONREVERSION
15 Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated
17 at the close of the fiscal year shall not revert but
18 shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal
20 year.
21 Sec. 20. EMPLOYMENT SECURITY CONTINGENCY FUND.
22 1. There is appropriated from the special
23 employment security contingency fund to the department
24 of workforce development for the fiscal year beginning
25 July 1, 2012, and ending June 30, 2013, the following
26 amount, or so much thereof as is necessary, to be used
27 for field offices:
28 \$ 1,217,084
29 2. There is appropriated from the special
30 employment security contingency fund to the division of
31 workers' compensation of the department of workforce
32 development for the fiscal year beginning July 1, 2012,
33 and ending June 30, 2013, the following amount or so
34 much thereof as is necessary, to be used for hiring
35 and compensating a deputy commissioner of workers'
36 compensation.
37 \$ 160,000
38 3. There is appropriated from the special
39 employment security contingency to the department of
40 workforce development for the fiscal year beginning
41 July 1, 2012, and ending June 30, 2013, the following
42 amount, or so much thereof as is necessary, to be used
43 for the reopening of satellite field offices in Ames,
44 Atlantic, Denison, and Newton:
45 \$ 1,200,000
46 4. Any remaining additional penalty and interest
47 revenue collected by the department of workforce
48 development is appropriated to the department for the
49 fiscal year beginning July 1, 2012, and ending June 30,
50 2013, to accomplish the mission of the department.

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1 Sec. 21. UNEMPLOYMENT COMPENSATION RESERVE FUND
2 — FIELD OFFICES. Notwithstanding section 96.9,
3 subsection 8, paragraph "e", there is appropriated
4 from interest earned on the unemployment compensation
5 reserve fund to the department of workforce development
6 for the fiscal year beginning July 1, 2012, and ending
7 June 30, 2013, the following amount or so much thereof
8 as is necessary, for the purposes designated:
9 For the operation of field offices:
10 \$ 633,000
11 Sec. 22. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
12 PROGRAM. There is appropriated from the general fund
13 of the state to the department of workforce development
14 for the fiscal year beginning July 1, 2012, and
15 ending June 30, 2013, the following amount, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:
18 For enhancing efforts to investigate employers that
19 misclassify workers and for not more than the following
20 full-time equivalent positions:
21 \$ 451,458
22 FTEs 8.10
23 Sec. 23. VIRTUAL ACCESS WORKFORCE DEVELOPMENT
24 OFFICES. The department of workforce development shall
25 require a unique identification login for all users
26 of workforce development centers operated through
27 electronic means.
28 DIVISION III
29 MISCELLANEOUS PROVISIONS
30 Sec. 24. 2010 Iowa Acts, chapter 1184, section 26,
31 as amended by 2011 Iowa Acts, chapter 131, section 105,
32 is amended to read as follows:
33 SEC. 26. There is appropriated from the rebuild
34 Iowa infrastructure fund to the department of economic
35 development for deposit in the grow Iowa values fund,
36 for the fiscal year beginning July 1, 2010, and ending
37 June 30, 2011, the following amount, notwithstanding
38 section 8.57, subsection 6, paragraph "c":
39 \$ 38,000,000
40 Of the moneys appropriated in this section, from
41 the amount allocated to the department of economic
42 development in accordance with 2010 Iowa Acts, chapter
43 1184, section 28, subsection 1, ~~\$1,200,000~~ \$1,417,219
44 shall be used for the department's Iowans helping
45 Iowans business assistance program. Notwithstanding
46 section 8.33, moneys designated pursuant to this
47 unnumbered paragraph that remain unencumbered or
48 unobligated at the close of the fiscal year shall not
49 revert but shall remain available for expenditure
50 for the purposes designated until the close of the

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1 succeeding fiscal year.

2 Sec. 25. Section 15G.111, subsection 2, paragraph
3 b, subparagraph (1), Code Supplement 2011, is amended
4 by striking the subparagraph and inserting in lieu
5 thereof the following:

6 (1) For the fiscal year beginning July 1, 2011,
7 and ending June 30, 2012, the authority shall allocate
8 three hundred fifty thousand dollars for purposes of
9 providing financial assistance to Iowa's councils of
10 governments. Notwithstanding section 8.33, moneys
11 allocated pursuant to this subparagraph that remain
12 unencumbered or unobligated at the close of the fiscal
13 year shall not revert to the fund from which allocated
14 at the close of the fiscal year but shall remain
15 available for expenditure for the purposes designated
16 until the close of the succeeding fiscal year.

17 Sec. 26. Section 123.183, subsection 2, paragraph
18 b, subparagraph (2), subparagraph division (a), Code
19 Supplement 2011, is amended to read as follows:

20 (a) To the midwest grape and wine industry
21 institute at Iowa state university of science and
22 technology, ~~one hundred twenty~~ two hundred fifty
23 thousand dollars.

24 Sec. 27. Section 303.1, subsection 4, Code 2011, is
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. e. Film office.

27 Sec. 28. NEW SECTION. 303.95 Film office.

28 The department shall establish and administer a film
29 office. The purpose of the film office is to assist
30 legitimate film, television, and video producers in the
31 production of film, television, and video projects in
32 the state and to create a positive fiscal impact on the
33 state's economy through such projects.

34 Sec. 29. TRANSITIONAL PROVISIONS — EMERGENCY
35 ADMINISTRATIVE RULEMAKING. The department of cultural
36 affairs may adopt emergency rules under section
37 17A.4, subsection 3, and section 17A.5, subsection 2,
38 paragraph "b", to implement the provisions of this Act
39 relating to a film office in the department of cultural
40 affairs, and the rules shall be effective January 1,
41 2013, unless a later date is specified in the rules.
42 Any rules adopted in accordance with this section shall
43 also be published as a notice of intended action as
44 provided in section 17A.4.

45 Sec. 30. EFFECTIVE UPON ENACTMENT. The following
46 provision or provisions of this division of this Act,
47 being deemed of immediate importance, take effect upon
48 enactment:

49 1. The section of this division of this Act
50 amending 2010 Iowa Acts, chapter 1184, section 26.

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1 2. The section of this division of this Act
2 amending section 15G.111.
3 3. The section of this division of this Act
4 providing for emergency rulemaking.>
5 2. Title page, line 6, by striking <and
6 retroactive>
7 3. By renumbering as necessary.



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House File 2465

H-8426

- 1 Amend House File 2465 as follows:
2 1. Page 3, by striking lines 6 through 14 and
3 inserting:
4 <Sec. _____. Section 256C.4, subsection 1, Code 2011,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. *g.* For the fiscal year beginning
7 July 1, 2011, and succeeding fiscal years, of the
8 amount of preschool foundation aid received by a school
9 district for a fiscal year, not more than five percent
10 shall be used by the school district for administering
11 the district's approved local program. Additionally,
12 any private partner collaborating with the school
13 district on the delivery of preschool programming
14 under this chapter to be used, if requested, up to five
15 percent of the total programming cost reimbursement
16 for administration and operational costs of the
17 private partner, which amount is in addition to the
18 reimbursement for programming costs.>
19 2. Page 5, after line 12 by inserting:
20 <2. The section of this Act enacting section
21 256C.4, subsection 1, paragraph "g".>
22 3. Page 5, before line 13 by inserting:
23 <Sec. _____. RETROACTIVE APPLICABILITY. The
24 following provision or provisions of this division of
25 this Act apply retroactively to July 1, 2011:
26 1. The section of this Act enacting section 256C.4,
27 subsection 1, paragraph "g".>
28 4. By renumbering as necessary.

WINCKLER of Scott

DOLECHECK of Ringgold

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kh/tm

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House File 2449

H-8427

1 Amend House File 2449 as follows:
2 1. Page 40, after line 20 by inserting:
3 <DIVISION _____
4 COMPETITIVE BIDDING PREFERENCE
5 Sec. _____. Section 8A.311, Code Supplement 2011, is
6 amended by adding the following new subsections:
7 NEW SUBSECTION. 12A. a. If the lowest responsive
8 bid received by the state or a political subdivision
9 for products or other purchases is from an out-of-state
10 business and totals less than five hundred thousand
11 dollars, and an Iowa-based business submitted a bid
12 which is within five percent or ten thousand dollars
13 of the price of the lowest bid, whichever is less,
14 the Iowa-based business which submitted the lowest
15 responsive bid shall be notified and shall be allowed
16 to match the lowest bid before a contract is awarded.
17 b. This subsection does not apply to a request
18 for bids or proposals for products or other purchases
19 associated with the following:
20 (1) Road or bridge construction or repair.
21 (2) Architectural or engineering services.
22 NEW SUBSECTION. 12B. a. A response to a request
23 for bids or proposals for products or other purchases
24 by the state or a political subdivision which totals
25 less than five hundred thousand dollars in value shall
26 contain the following information:
27 (1) The percentage of the ownership of the
28 submitting business which is held by Iowa residents.
29 (2) The percentage of the employees who will be
30 carrying out work in connection with the contract
31 who are Iowa residents. For the purposes of this
32 paragraph, "employee" includes part-time, temporary,
33 contract, and substitute employees, and includes
34 employees of any contractors or subcontractors.
35 (3) An estimate of the percentage of purchases
36 to be made by the submitting business in connection
37 with the contract that will be made from Iowa-based
38 businesses.
39 (4) The amount of property tax paid by the
40 submitting business during the most recently completed
41 fiscal year for which such a figure is available.
42 b. This subsection does not apply to a request
43 for bids or proposals for products or other purchases
44 associated with the following:
45 (1) Road or bridge construction or repair.
46 (2) Architectural or engineering services.
47 NEW SUBSECTION. 12C. Subsections 12A and 12B do
48 not apply to procurement of or for a public improvement
49 as defined in section 26.2.>
50 2. By renumbering, redesignating, and correcting

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1 internal references as necessary.

THOMAS of Clayton



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House File 2465

H-8428

1 Amend House File 2465 as follows:
2 1. Page 3, after line 25 by inserting:
3 <Sec. _____. Section 267A.2, subsection 4, Code
4 Supplement 2011, is amended to read as follows:
5 4. "Fund" means the local food and farm ~~program~~
6 innovation fund created in section 267A.5.
7 Sec. _____. Section 267A.5, Code Supplement 2011, is
8 amended to read as follows:
9 **267A.5 Local food and farm ~~program~~ innovation fund**
10 **— creation.**
11 A local food and farm ~~program~~ innovation fund
12 is created in the state treasury under the control
13 of the department. The fund is separate from the
14 general fund of the state. The fund is composed of
15 moneys appropriated by the general assembly and moneys
16 available to and obtained or accepted by the local food
17 and farm program from the United States government or
18 private sources for placement in the fund. Moneys
19 in the fund shall be used to carry out the purpose
20 and goals of this chapter as provided in section
21 267A.1, including but not limited to administering the
22 local food and farm program as provided in section
23 267A.6. The fund shall be managed by the department in
24 consultation with the local food and farm coordinator,
25 under the supervision of the local food and farm
26 program council.
27 Sec. _____. **NEW SECTION. 267A.5A Local food and farm**
28 **innovation fund — appropriation.**
29 Each fiscal year, there is appropriated from the
30 general fund of the state for deposit in the local
31 food and farm innovation fund created pursuant to
32 section 267A.5, up to fifty thousand dollars. The
33 appropriation of each dollar in this section is
34 contingent upon a dollar match contributed to the fund
35 by a private person.>
36 2. By renumbering as necessary.

ISENHART of Dubuque

HANSON of Jefferson

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House File 2465

H-8429

- 1 Amend House File 2465 as follows:
2 1. By striking page 5, line 15, through page 7,
3 line 16, and inserting:
4 <Sec. ____ REPEAL. Section 256D.9, Code 2011, is
5 repealed.
6 Sec. ____ EFFECTIVE DATE. The section of this
7 division of this Act that repeals section 256D.9 takes
8 effect June 30, 2012.>
9 2. By renumbering as necessary.

WINCKLER of Scott

ABDUL-SAMAD of Polk

BERRY of Black Hawk

COHOON of Des Moines

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk



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ISENHART of Dubuque

KAJTAZOVIC of Black Hawk

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LYKAM of Scott

MASCHER of Johnson

H. MILLER of Webster

MURPHY of Dubuque

R. OLSON of Polk

PETERSEN of Polk

M. SMITH of Marshall



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STECKMAN of Cerro Gordo

T. TAYLOR of Linn

THEDE of Scott

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WITTNEBEN of Emmet



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House File 2465

H-8430

- 1 Amend House File 2465 as follows:
- 2 1. Page 1, line 35, by striking <195,777> and
- 3 inserting <232,500>
- 4 2. Page 2, line 3, by striking <9,645,273> and
- 5 inserting <12,606,196>

HEDDENS of Story

ABDUL-SAMAD of Polk

BERRY of Black Hawk

COHOON of Des Moines

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HUNTER of Polk

KAJTAZOVIC of Black Hawk

KEARNS of Lee



Iowa General Assembly
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KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LYKAM of Scott

MASCHER of Johnson

H. MILLER of Webster

MURPHY of Dubuque

R. OLSON of Polk

PETERSEN of Polk

M. SMITH of Marshall

STECKMAN of Cerro Gordo

T. TAYLOR of Linn

THEDE of Scott



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WENTHE of Fayette

WESSEL-KROESCHELL of Story

WILLEMS of Linn

WINCKLER of Scott

WITTNEBEN of Emmet

WOLFE of Clinton



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House File 2468 - Introduced

HOUSE FILE 2468
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2297)
(SUCCESSOR TO HSB 598)

A BILL FOR

1 An Act relating to transfers to the veterans trust fund and
2 including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5919HZ (3) 84
jp/sc



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H.F. 2468

1 Section 1. TRANSFER TO VETERANS TRUST FUND. At the
2 close of the fiscal year beginning July 1, 2011, following
3 the appropriations made to the cash reserve fund pursuant
4 to section 8.57, subsections 1 and 3, and the Iowa economic
5 emergency fund pursuant to section 8.57, subsection 4, and
6 following any transfer made from the Iowa economic emergency
7 fund to the taxpayers trust fund pursuant to section 8.55,
8 subsection 2, paragraph "a", subparagraph (1), from the excess
9 moneys that remain, an amount sufficient for the balance of
10 the veterans trust fund created in section 35A.13 to reach
11 fifty million dollars, up to the amount of excess moneys that
12 remains, shall be transferred to the veterans trust fund,
13 and any remaining excess shall be transferred to the general
14 fund of the state as provided in section 8.55, subsection 2,
15 paragraph "a", subparagraph (2).

16 Sec. 2. Section 99G.9A, Code 2011, is amended to read as
17 follows:

18 **99G.9A Limited series of lottery games providing aid for**
19 **veterans.**

20 The chief executive officer, in consultation with the
21 board, shall develop and conduct two additional instant
22 scratch and two additional pull tab lottery games annually
23 to provide moneys for the benefit of veterans and their
24 spouses and dependents. The moneys received from the sale of
25 tickets for each lottery game shall be deposited in a special
26 account in the lottery fund. Notwithstanding section 99G.39,
27 after payment of the prizes, the remaining moneys shall be
28 transferred to the veterans trust fund established pursuant
29 to section 35A.13. ~~However, if the balance of the veterans~~
30 ~~trust fund is fifty million dollars or more, the remaining~~
31 ~~moneys shall be appropriated to the department of revenue for~~
32 ~~distribution to county directors of veteran affairs, with fifty~~
33 ~~percent of the money to be distributed equally to each county~~
34 ~~and fifty percent of the money to be distributed to each county~~
35 ~~based upon the population of veterans in the county, so long~~

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jp/sc

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H.F. 2468

1 ~~as the money distributed to a county does not supplant money~~
2 ~~appropriated by that county for the county director of veteran~~
3 ~~affairs.~~

4 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
5 immediate importance, takes effect upon enactment.

6 EXPLANATION

7 This bill relates to transfers to the veterans trust fund.

8 Code section 99G.9A, providing for a limited series of
9 lottery games providing aid for veterans, is amended to strike
10 a contingent appropriation that would otherwise apply if the
11 veterans trust fund balance is \$50 million or more.

12 The bill also provides for a one-time transfer of moneys from
13 the Iowa economic emergency fund to the veterans trust fund
14 at the close of fiscal year 2011-2012. The bill provides for
15 the transfer to be made after the standing appropriations of
16 the amounts necessary for the cash reserve fund and the Iowa
17 economic emergency fund to each reach their maximum balance.

18 Under current law, when the economic emergency fund has
19 reached its maximum balance, the first \$60 million of the
20 excess, limited to the difference between the actual net
21 revenue for the general fund of the state for the fiscal year
22 and the adjusted revenue estimate for the fiscal year, is
23 transferred to the taxpayers trust fund. The bill provides
24 that from the excess moneys that remain following the taxpayers
25 trust fund transfer, an amount sufficient for the balance in
26 the veterans trust fund to reach \$50 million up to the amount
27 of excess moneys that remains is to be transferred to the
28 veterans trust fund. Any remaining excess is to be transferred
29 to the general fund of the state, as is provided by current
30 law.

31 The bill takes effect upon enactment.



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Senate File 2326

S-5184

1 Amend Senate File 2326 as follows:

2 1. Page 1, line 17, after <capacity.> by inserting
3 <Of the maximum amount of nameplate generating capacity
4 for all wind energy conversion facilities the board
5 may find eligible under this chapter, five megawatts
6 of nameplate generating capacity shall be reserved for
7 wind energy conversion facilities located in small wind
8 innovation zones created under section 476.48.>

9 2. Page 2, by striking lines 11 through 17 and
10 inserting:

11 ~~<Of the maximum amount of energy production capacity
12 equivalent of all other facilities found eligible under
13 this chapter, an amount equivalent to ten megawatts
14 of nameplate generating capacity shall be reserved
15 for eligible renewable energy facilities incorporated
16 within or associated with an ethanol cogeneration plant
17 engaged in the sale of ethanol to states to meet a low
18 carbon fuel standard.>~~

19 3. Page 2, before line 18 by inserting:

20 <Sec. _____. Section 476C.3, Code Supplement 2011, is
21 amended by adding the following new subsection:

22 NEW SUBSECTION. 4A. Notwithstanding the definition
23 of "*eligible renewable energy facility*" in section
24 476C.1, subsection 6, unnumbered paragraph 1, of
25 the maximum amount of energy production capacity
26 equivalent of all other facilities found eligible
27 pursuant to subsection 4, paragraph "b", an amount
28 equivalent to ten megawatts of nameplate generating
29 capacity shall be reserved for natural gas cogeneration
30 facilities incorporated within or associated with a
31 self-generating ethanol plant to assist the ethanol
32 plant in meeting a low carbon fuel standard.>

33 4. Title page, by striking lines 1 and 2 and
34 inserting <An Act relating to the level and allocation
35 of generating capacity eligible for the renewable
36 energy tax credit.>

37 5. By renumbering as necessary.

ROBERT M. HOGG

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rn/sc

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Senate File 2332

S-5185

- 1 Amend Senate File 2332 as follows:
2 1. Page 16, after line 27 by inserting:
3 <Sec. _____. Section 359.42, Code 2011, is amended to
4 read as follows:
5 **359.42 Township fire protection service, emergency**
6 **warning system, and emergency medical service.**
7 Except as otherwise provided in section 331.385, the
8 trustees of each township shall provide fire protection
9 service for the township, exclusive of any part of
10 the township within a benefited fire district and
11 may provide emergency medical service. The trustees
12 may purchase, own, rent, or maintain fire protection
13 service or emergency medical service apparatus or
14 equipment or both kinds of apparatus or equipment and
15 provide housing for the equipment. The trustees of
16 ~~a township which is located within a county having~~
17 ~~a population of three hundred thousand or more~~ each
18 township may also establish and maintain an emergency
19 warning system within the township. The trustees may
20 contract with a public or private agency under chapter
21 28E for the purpose of providing any service or system
22 required or authorized under this section.>
23 2. Title page, line 1, by striking <enhanced 911>
24 3. Title page, line 2, after <including> by
25 inserting <E911>
26 4. Title page, line 5, after <sale,> by inserting
27 <the establishment and funding of emergency warning
28 systems within townships,>
29 5. By renumbering as necessary.

EUGENE S. FRAISE

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rn/nh

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Senate File 2284

S-5186

1 Amend Senate File 2284 as follows:
2 1. Page 31, before line 22 by inserting:
3 <DIVISION
4 ALTERNATIVE CHARTER SCHOOL PROVISIONS
5 Sec. _____. **NEW SECTION. 256F.12 Alternative charter**
6 **schools.**
7 1. Notwithstanding this chapter or any provision
8 of law to the contrary, the following entities may
9 establish and operate an alternative charter school
10 pursuant to this section:
11 a. The board of directors of a school district.
12 b. A consortium consisting of the boards of
13 directors of two or more school districts.
14 c. An area education agency board.
15 d. A consortium consisting of the boards of
16 directors of an area education agency and one or more
17 school districts, at least one of which is located
18 within the boundaries of the area education agency.
19 e. The board of directors of a community college.
20 f. A consortium consisting of the boards of
21 directors of a community college and one or more school
22 districts, at least one of which is located within the
23 boundaries of the community college.
24 g. An institution of higher education governed by
25 the state board of regents.
26 h. A consortium consisting of an institution of
27 higher education governed by the state board of regents
28 and the board of directors of one or more school
29 districts.
30 i. A consortium consisting of one or more
31 accredited private institutions as defined in section
32 261.9, all of which are exempt from taxation under
33 section 501(c)(3) of the Internal Revenue Code, and the
34 board of directors of one or more school districts.
35 j. A consortium consisting of the governing body of
36 a city or county and the board of directors of one or
37 more school districts located, at least in part, within
38 the boundaries of the city or county.
39 2. Within thirty days of establishing an
40 alternative charter school pursuant to this section,
41 the entity establishing the alternative charter school
42 shall submit to the department of education, and
43 publish on an internet site operated by the entity,
44 a copy of the plan of operation for the alternative
45 charter school, which shall include but is not limited
46 to the following:
47 a. The alternative charter school's budget.
48 b. The methods by which academic achievement will
49 be measured.
50 c. The measures that will be used to assure that at

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1 least ninety-five percent of the students enrolled in
2 the school will demonstrate a minimum of one year of
3 academic growth for each year of instruction.
4 *d.* Assurance that the alternative charter school
5 shall, at a minimum, administer the Iowa test of basic
6 skills and the Iowa tests of educational development in
7 the manner and frequency used by the majority of school
8 districts in this state.
9 *e.* The admissions procedures and dismissal
10 procedures, including the school's code of student
11 conduct.
12 *f.* The measures to be employed to ensure that
13 the school's racial and ethnic balance reflects the
14 community it serves or reflects the racial and ethnic
15 range of other schools located within the boundaries of
16 the school district in which the school is located.
17 *g.* The manner in which the school will be insured.
18 *h.* The qualifications to be required of the
19 alternative charter school's teachers.
20 *i.* The educational goals of the entity and the
21 alternative charter school.
22 3. Although an alternative charter school may elect
23 to comply with one or more provisions of statute or
24 administrative rule, an alternative charter school is
25 exempt from all statutes and rules applicable to a
26 school, a school board, or a school district, including
27 but not limited to chapters 20 and 279, except as
28 provided in subsections 4, 5, and 8.
29 4. An alternative charter school shall meet
30 all applicable state and local health and safety
31 requirements.
32 5. An alternative charter school shall not
33 discriminate in its student admissions policies or
34 practices on the basis of a student's intellectual or
35 athletic ability, measures of achievement or aptitude,
36 or status as a person with a disability. However,
37 an alternative charter school may limit admission to
38 students who are within a particular range of ages or
39 grade levels or on any other basis that would be legal
40 if initiated by a school district.
41 6. The alternative charter school shall make an
42 annual progress report to the department by a date
43 specified by the department. The report shall contain
44 but not be limited to the school's progress toward
45 achieving the goals outlined in its operation plan and
46 the financial records of the school, including revenues
47 and expenditures.
48 7. The cost of educating students enrolled in an
49 alternative charter school shall be paid in the same
50 manner as for students enrolled in school districts as

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1 provided in section 273.9, and chapters 256B and 257.
2 8. An alternative charter school shall utilize
3 facilities that comply with the state building code
4 adopted pursuant to section 103A.7 and with the rules
5 adopted for schools by the fire marshal pursuant to
6 section 100.35.>
7 2. By renumbering as necessary.

NANCY J. BOETTGER



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Senate File 2326

S-5187

1 Amend Senate File 2326 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 476B.1, subsection 4, paragraph
4 c, Code 2011, is amended to read as follows:
5 c. Was originally placed in service on or after
6 July 1, 2005, but before July 1, ~~2012~~ 2013.>
7 2. Page 2, before line 18 by inserting:
8 <Sec. _____. Section 476C.3, subsection 5, Code
9 Supplement 2011, is amended to read as follows:
10 5. a. The board shall maintain a waiting list of
11 facilities that may have been found eligible under
12 this section but for the maximum capacity restrictions
13 of subsection 4. The priority of the waiting list
14 shall be maintained in the order the applications were
15 received by the board. The board shall remove from the
16 waiting list any facility that has subsequently been
17 found ineligible under this chapter. If additional
18 capacity becomes available within the capacity
19 restrictions of subsection 4, the board shall grant
20 approval to facilities according to the priority
21 of the waiting list before granting approval to new
22 applications. An owner of a facility on the waiting
23 list shall provide the board each year by August 31
24 with a sworn statement of verification stating that
25 the information contained in the application for
26 eligibility remains true and correct or stating that
27 the information has changed and providing the new
28 information.
29 b. Notwithstanding paragraph "a", if a facility
30 that has received approval pursuant to section
31 476B.5 is not operational due to the maximum capacity
32 restrictions of section 476B.5, subsection 4, and
33 if additional capacity becomes available within the
34 capacity restrictions of subsection 4 of this section
35 attributable to a facility that was granted approval
36 prior to December 31, 2011, either losing approval
37 or voluntarily relinquishing eligibility, the first
38 twenty megawatts of such additional capacity shall be
39 allocated to and shall increase the maximum amount of
40 capacity specified in section 476B.5, subsection 4.>
41 3. Title page, by striking lines 1 and 2 and
42 inserting <An Act relating to qualification for and
43 receipt of the wind energy and renewable energy tax
44 credits.>
45 4. By renumbering as necessary.

MERLIN BARTZ

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Senate File 2326

S-5188

- 1 Amend Senate File 2326 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 476B.1, subsection 4, paragraph
4 c, Code 2011, is amended to read as follows:
5 c. Was originally placed in service on or after
6 July 1, 2005, but before July 1, ~~2012~~ 2013.
7 Sec. _____. Section 476B.5, subsection 4, Code
8 Supplement 2011, is amended to read as follows:
9 4. a. The maximum amount of nameplate generating
10 capacity of all qualified facilities the board may find
11 eligible under this chapter shall not exceed fifty
12 megawatts of nameplate generating capacity.
13 b. If additional capacity becomes available within
14 the capacity restrictions of paragraph "a" of this
15 subsection, the amount of available capacity, plus an
16 additional amount of capacity necessary to render a
17 facility fully operational, if applicable, shall be
18 awarded to the applicant who has awaited available
19 capacity for the longest period since receiving
20 approval.>
21 2. Title page, by striking lines 1 and 2 and
22 inserting <An Act relating to qualification for and
23 receipt of the wind energy and renewable energy tax
24 credits.>
25 3. By renumbering as necessary.

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Senate File 2326

S-5189

- 1 Amend the amendment, S-5184, to Senate File 2326 as
- 2 follows:
- 3 1. Page 1, lines 30 and 31, by striking <a
- 4 self-generating> and inserting <an>

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Senate File 2284

S-5190

1 Amend Senate File 2284 as follows:

2 1. Page 31, after line 21 by inserting:

3 <DIVISION _____

4 DRIVER EDUCATION — TEACHING PARENT

5 Sec. _____. NEW SECTION. 321.178A Driver education
6 — teaching parent.

7 1. *Teaching parent.* As an alternative to the
8 driver education requirements under section 321.178,
9 a teaching parent may instruct a student in a driver
10 education course that meets the requirements of this
11 section and provide evidence that the requirements
12 under this section have been met.

13 2. *Definitions.* For purposes of this section:

14 a. *Approved course* means driver education
15 curriculum approved by the department pursuant to rules
16 adopted under chapter 17A. An approved course shall,
17 at a minimum, meet the requirements of subsection 3
18 and be appropriate for teaching-parent-directed driver
19 education and related street or highway instruction.
20 Driver education materials that meet or exceed
21 standards established by the department for an approved
22 course in driver education for a public or private
23 school shall be approved unless otherwise determined by
24 the department. The list of approved courses shall be
25 posted on the department's internet site.

26 b. *Student* means a person between the ages of
27 fourteen and twenty-one years who is within the custody
28 and control of the teaching parent and who satisfies
29 preliminary licensing requirements of the department.

30 c. *Teaching parent* means a parent, guardian,
31 or legal custodian of a student who is currently
32 providing competent private instruction to the student
33 pursuant to section 299A.2 or 299A.3 and who provided
34 such instruction to the student during the previous
35 year; who has a valid driver's license, other than a
36 motorized bicycle license or a temporary restricted
37 license, that permits unaccompanied driving; and who
38 has maintained a clear driving record for the previous
39 two years. For purposes of this paragraph, *clear*
40 *driving record* means the individual has not been
41 identified as a candidate for suspension of a driver's
42 license under the habitual offender provisions of the
43 department's regulations; is not subject to a driver's
44 license suspension, revocation, denial, cancellation,
45 disqualification, or bar; and has no record of a
46 conviction for a moving traffic violation determined to
47 be the cause of a motor vehicle accident.

48 3. *Course of instruction.*

49 a. An approved course administered by a teaching
50 parent shall consist of but not be limited to the

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1 following:
2 (1) Thirty clock hours of classroom instruction.
3 (2) Forty hours of street or highway driving
4 including four hours of driving after sunset and before
5 sunrise while accompanied by the teaching parent.
6 (3) Four hours of classroom instruction concerning
7 substance abuse.
8 (4) A minimum of twenty minutes of instruction
9 concerning railroad crossing safety.
10 (5) Instruction relating to becoming an organ
11 donor under the revised uniform anatomical gift Act as
12 provided in chapter 142C.
13 (6) Instruction providing an awareness about
14 sharing the road with bicycles and motorcycles.
15 *b.* The content of the course of instruction
16 required under this subsection shall be equivalent
17 to that required under section 321.178. However,
18 reference and study materials, physical classroom
19 requirements, and extra vehicle safety equipment
20 required for instruction under section 321.178 shall
21 not be required for the course of instruction provided
22 under this section.
23 *4. Course completion and certification.* Upon
24 application by a student for an intermediate license,
25 the teaching parent shall provide evidence showing
26 the student's completion of an approved course and
27 substantial compliance with the requirements of
28 subsection 3 by affidavit signed by the teaching
29 parent on a form to be provided by the department. The
30 evidence shall include all of the following:
31 *a.* Documentation that the instructor is a teaching
32 parent as defined in subsection 2.
33 *b.* Documentation that the student is receiving
34 competent private instruction under section 299A.2
35 or the name of the school district within which the
36 student is receiving instruction under section 299A.3.
37 *c.* The name of the approved course completed by the
38 student.
39 *d.* An affidavit attesting to satisfactory
40 completion of course work and street or highway driving
41 instruction.
42 *e.* Copies of written tests completed by the
43 student.
44 *f.* A statement of the number of classroom hours of
45 instruction provided to the student.
46 *g.* A log of completed street or highway driving
47 instruction including the dates when the lessons were
48 conducted, the student's and the teaching parent's name
49 and initials noted next to each entry, notes on driving
50 activities including a list of driving deficiencies and

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1 improvements, and the duration of the driving time for
2 each session.

3 5. *Intermediate license.* Any student who
4 successfully completes an approved course as
5 provided in this section, passes a driving test to
6 be administered by the department, and is otherwise
7 qualified under section 321.180B, subsection 2, shall
8 be eligible for an intermediate license pursuant
9 to section 321.180B. Twenty of the forty hours of
10 street or highway driving instruction required under
11 subsection 3, paragraph "a", subparagraph (2), may
12 be utilized to satisfy the requirement of section
13 321.180B, subsection 2.

14 6. *Full license.* A student must comply with
15 section 321.180B, subsection 4, to be eligible for a
16 full driver's license pursuant to section 321.180B.

17 Sec. _____. Section 321.180B, subsection 2, paragraph
18 a, Code Supplement 2011, is amended to read as follows:

19 a. The department may issue an intermediate
20 driver's license to a person sixteen or seventeen years
21 of age who possesses an instruction permit issued
22 under subsection 1 or a comparable instruction permit
23 issued by another state for a minimum of six months
24 immediately preceding application, and who presents an
25 affidavit signed by a parent, guardian, or custodian
26 on a form to be provided by the department that the
27 permittee has accumulated a total of twenty hours of
28 street or highway driving of which two hours were
29 conducted after sunset and before sunrise and the
30 street or highway driving was with the permittee's
31 parent, guardian, custodian, instructor, a person
32 certified by the department, or a person at least
33 twenty-five years of age who had written permission
34 from a parent, guardian, or custodian to accompany
35 the permittee, and whose driving privileges have not
36 been suspended, revoked, or barred under this chapter
37 or chapter 321J during, and who has been accident
38 and violation free continuously for, the six-month
39 period immediately preceding the application for an
40 intermediate license. An applicant for an intermediate
41 license must meet the requirements of section
42 321.186, including satisfactory completion of driver
43 education as required in section 321.178 or 321.178A,
44 and payment of the required license fee before an
45 intermediate license will be issued. A person issued
46 an intermediate license must limit the number of
47 passengers in the motor vehicle when the intermediate
48 licensee is operating the motor vehicle to the number
49 of passenger safety belts.>

50 2. By renumbering as necessary.

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NANCY J. BOETTGER



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Senate File 2334 - Introduced

SENATE FILE 2334
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 2138)
(SUCCESSOR TO SSB 3127)

A BILL FOR

1 An Act making appropriations to the commission of veterans
2 affairs for the provision of veterans services, and
3 including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2334

1 Section 1. Section 35A.13, subsection 4, Code Supplement
2 2011, is amended to read as follows:

3 4. The minimum balance of the trust fund required prior
4 to expenditure of moneys from the trust fund is five million
5 dollars. Once the minimum balance is reached, the interest and
6 earnings on the fund and ~~any moneys received under subsection~~
7 ~~2, paragraph "a",~~ the first three hundred thousand dollars
8 transferred each fiscal year pursuant to section 99G.9A from
9 the lottery fund to the trust fund are appropriated to the
10 commission to be used to achieve the purposes of this section.
11 Moneys appropriated to the commission that remain unobligated
12 or unexpended at the end of each fiscal year shall revert to
13 the trust fund. It is the intent of the general assembly that
14 the balance in the trust fund reach fifty million dollars.

15 Sec. 2. COMMISSION OF VETERANS AFFAIRS. There is
16 appropriated from the veterans trust fund, created in section
17 35A.13, to the commission of veterans affairs for the fiscal
18 year beginning July 1, 2011, and ending June 30, 2012, to be
19 used for the purposes stated in section 35A.13, subsection 6,
20 the following amount:

21 \$ 100,000

22 Sec. 3. EFFECTIVE UPON ENACTMENT. The following provision
23 or provisions of this Act, being deemed of immediate
24 importance, take effect upon enactment:

25 1. The section of this Act making an appropriation to the
26 commission of veterans affairs for the fiscal year beginning
27 July 1, 2011.

28 EXPLANATION

29 This bill makes appropriations from the veterans trust
30 fund to the commission of veterans affairs to be used for the
31 provision of veterans services.

32 Current law provides for the appropriation of the interest
33 and earnings from the veterans trust fund and certain other
34 moneys received in the trust fund pursuant to Code section
35 35A.13(2)(a) to the commission. The bill removes the language

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1 appropriating moneys pursuant to Code section 35A.13(2)(a),
2 but appropriates the first \$300,000 that is transferred into
3 the trust fund each fiscal year from the lottery fund pursuant
4 to Code section 99G.9A, to the commission for the provision of
5 such in veterans services.

6 The bill requires that moneys appropriated to the commission
7 that remain unobligated or unexpended at the end of each fiscal
8 year shall revert to the veterans trust fund.

9 The bill also provides for a one-time appropriation of
10 \$100,000 from the trust fund to the commission for the fiscal
11 year beginning July 1, 2011, and ending June 30, 2012, in order
12 to provide certain veterans services pursuant to Code section
13 35A.13(6). The section of the bill appropriating moneys to
14 the commission for the fiscal year beginning July 1, 2011, and
15 ending June 30, 2012, is effective upon enactment.



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Senate File 2335 - Introduced

SENATE FILE 2335
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3197)

A BILL FOR

1 An Act concerning public safety, by establishing a public
2 safety training and equipment trust fund, establishing a
3 public safety training and facilities task force, and making
4 appropriations.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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ec/sc



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S.F. 2335

1 Section 1. NEW SECTION. 80B.11F Public safety training and
2 equipment trust fund.

3 1. A public safety training and equipment trust fund is
4 created in the state treasury under the control of the council.

5 2. The trust fund shall consist of moneys deposited in
6 the fund pursuant to section 432.1, subsection 7, and any
7 other devise, gift, bequest, donation, federal or other grant,
8 reimbursement, repayment, judgment, transfer, payment, or
9 appropriation from any source intended to be used for the
10 purposes of the trust fund. Of the moneys deposited in the
11 trust fund, an amount equal to ten percent of the moneys
12 deposited, or such lesser amount as determined by the council,
13 shall be allocated to a capital projects account for the
14 purposes of public safety training facility needs.

15 3. Moneys credited to the trust fund are not subject to
16 section 8.33 and shall not be transferred, used, obligated,
17 appropriated, or otherwise encumbered except as provided
18 in this section and for succeeding fiscal years shall
19 remain available for expenditure for purposes of the fund.
20 Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the trust fund shall be
22 credited to the trust fund. Moneys shall not be appropriated
23 or expended from the trust fund until the first fiscal year
24 following the fiscal year in which the minimum balance of the
25 trust fund reaches eight million dollars.

26 4. a. Moneys in the trust fund shall be used for public
27 safety training costs incurred by a political subdivision of
28 the state and for public safety personnel equipment costs,
29 excluding vehicles, incurred by a political subdivision of
30 the state, subject to appropriation by the general assembly.
31 It is the intent of the general assembly that all training
32 costs incurred by a political subdivision be reimbursed from
33 moneys in the trust fund and that such remaining moneys in the
34 trust fund, less such amount needed for cash flow purposes of
35 the trust fund, be used to reimburse public safety personnel

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1 equipment costs.

2 **b.** Moneys in the capital projects account of the trust
3 fund shall be used for public safety training facility needs,
4 subject to appropriation by the general assembly.

5 Sec. 2. Section 432.1, Code 2011, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 7. **a.** Of the amount of premium tax
8 receipts collected pursuant to subsection 3 for the 2014 and
9 subsequent calendar years and deposited in the general fund
10 of the state, the department of revenue shall transfer the
11 applicable percent of such amount that exceeds the amount of
12 premium tax receipts collected pursuant to subsection 3 for
13 calendar year 2012 to the public safety training and equipment
14 trust fund created in section 80B.11F.

15 **b.** For purposes of this subsection, "*applicable percent*"
16 means as follows:

17 (1) For the 2014 through 2016 calendar years, one hundred
18 percent.

19 (2) For the 2017 calendar year, seventy-five percent.

20 (3) For the 2018 and subsequent calendar years, fifty
21 percent.

22 Sec. 3. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.

23 1. A public safety training and facilities task force is
24 established. The department of public safety shall provide
25 administrative support for the task force.

26 2. The task force shall consist of the following members:

27 **a.** Five members appointed by the Iowa law enforcement
28 academy council. Of the members appointed, at least three
29 members shall be nonsupervisory employees in law enforcement,
30 at least one member shall be a peace officer in the department
31 of public safety, at least one member shall be in county law
32 enforcement, and at least one member shall be in city law
33 enforcement. In addition, one member appointed shall be a
34 chief of a police department of a city with a population of
35 less than ten thousand.

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- 1 b. Five members appointed by the state fire service and
2 emergency response council. Of the members appointed, at least
3 three members shall be nonsupervisory employees in fire service
4 or emergency response.
- 5 c. Chief of the Iowa fire service training bureau or the
6 chief's designee.
- 7 d. The director of the Iowa law enforcement academy or the
8 director's designee.
- 9 e. One member appointed by the governor who is a public
10 member with demonstrated knowledge in public safety and related
11 training issues.
- 12 3. The members of the task force shall select one
13 chairperson and one vice chairperson. The vice chairperson
14 shall preside in the absence of the chairperson. Section
15 69.16A shall apply to the appointed members of the task force.
- 16 4. The task force shall consider and develop strategies
17 relating to public safety training facility governance with
18 the goal of all public safety disciplines being represented.
19 Each public safety discipline shall advise the task force
20 by developing individual training policies as determined by
21 the discipline's governing bodies. The task force shall
22 also develop a proposal for a joint public safety training
23 facility, a budget for construction and future operation of
24 this facility, and potential locations, that are centrally
25 located in this state, for the facility.
- 26 5. a. The task force shall provide interim reports to the
27 general assembly by December 31 of each year concerning the
28 activities of the task force and shall submit its final report,
29 including its findings and recommendations, to the general
30 assembly by December 31, 2015.
- 31 b. The final report shall include but not be limited to
32 recommendations concerning the following:
- 33 (1) Consolidation of public safety governance within a
34 single board and the membership of the board.
- 35 (2) Development of a consolidated fire and police public



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1 safety training facility, including possible locations,
2 building recommendations, and financing options.

3 (3) The distribution of moneys from the public safety
4 training and equipment trust fund created in section 80B.11F.

5 (4) Any other recommendations relating to public safety
6 training and facilities requirements.

7 Sec. 4. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE —
8 ADMINISTRATIVE SUPPORT. There is appropriated from the general
9 fund of the state to the department of public safety for the
10 fiscal period beginning July 1, 2012, and ending December 31,
11 2015, the following amount, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 For providing administrative support for the public safety
14 training and facilities task force as enacted in this Act:
15 \$ 50,000

16 EXPLANATION

17 This bill concerns public safety training and facilities.

18 The bill establishes a public safety training and equipment
19 trust fund under the control of the Iowa law enforcement
20 academy council. The trust fund shall consist of moneys
21 deposited in the fund from premium tax receipts as provided by
22 the bill. Of the moneys deposited in the fund, 10 percent,
23 or such lesser amount as determined by the council, shall be
24 allocated to a capital projects account of the trust fund and
25 shall be used for public safety facility needs. The remaining
26 moneys deposited in the fund shall be used for public safety
27 training costs and for public safety personnel equipment costs,
28 excluding vehicles, all incurred by a political subdivision of
29 the state, subject to appropriation by the general assembly.

30 The bill provides that moneys shall not be appropriated
31 from the trust fund until the fiscal year following the
32 year the balance of the trust fund reaches \$8 million. The
33 bill provides that it is the intent of the general assembly
34 that training costs incurred by a political subdivision
35 be fully reimbursed from moneys in the fund and that the

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1 remaining moneys in the fund, less an amount needed for cash
2 flow purposes, be used to reimburse public safety personnel
3 equipment costs. Moneys in the fund shall not revert to the
4 general fund of the state, and interest and earnings on moneys
5 in the fund shall remain in the fund.

6 Code section 432.1, concerning tax on gross insurance
7 premiums, is amended to provide that the applicable percent of
8 the moneys collected from premium tax receipts on insurance
9 policies, other than life insurance policies, in excess of the
10 amount collected for calendar year 2012, shall be transferred
11 to the public safety training and equipment trust fund created
12 by the bill beginning with premium tax receipts received during
13 calendar year 2014. The bill provides that the applicable
14 percent for calendar years 2014 through 2016 shall be 100
15 percent, for calendar year 2017, 75 percent, and for subsequent
16 calendar years, 50 percent.

17 The bill also establishes a public safety training and
18 facilities task force. The department of public safety shall
19 provide administrative support for the task force and the
20 bill appropriates moneys to the department for providing
21 this support. The bill specifies the membership of the task
22 force and provides that the task force shall consider and
23 develop strategies relating to public safety training facility
24 governance with the goal of all public safety disciplines
25 being represented. Each public safety discipline shall advise
26 the task force by developing individual training policies as
27 determined by the discipline's governing bodies. The bill
28 requires the task force to provide interim reports to the
29 general assembly by December 31 of each year and to submit a
30 final report, including its findings and recommendations, to
31 the general assembly by December 31, 2015. The bill provides
32 that the final report shall include recommendations concerning
33 consolidation of public safety governance within a single
34 board and the membership of the board, the development of a
35 consolidated fire and police public safety training facility,



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1 including possible locations, building recommendations,
2 and financing options, the distribution of moneys from the
3 public safety training and equipment trust fund, and any
4 other recommendations relating to public safety training and
5 facilities requirements.



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Senate Study Bill 3200 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BUDGET
BILL)

A BILL FOR

1 An Act relating to state financial matters, including
2 limitations on appropriations and properly related matters.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. 2011 Iowa Acts, chapter 131, section 42, is
2 amended to read as follows:

3 SEC. 42. LIMITATION OF STANDING APPROPRIATIONS.

4 Notwithstanding the standing appropriations in the following
5 designated sections for the fiscal year beginning July 1, 2012,
6 and ending June 30, 2013, the amounts appropriated from the
7 general fund of the state pursuant to these sections for the
8 following designated purposes shall not exceed the following
9 amounts:

10 1. For operational support grants and community cultural
11 grants under section 99F.11, subsection 3, paragraph "d",
12 subparagraph (1):

13 \$ ~~208,351~~
14 416,702

15 2. For regional tourism marketing under section 99F.11,
16 subsection 3, paragraph "d", subparagraph (2):

17 \$ ~~405,153~~
18 810,306

19 3. For the center for congenital and inherited disorders
20 central registry under section 144.13A, subsection 4, paragraph
21 "a":

22 \$ ~~85,560~~
23 171,121

24 4. For primary and secondary child abuse prevention
25 programs under section 144.13A, subsection 4, paragraph "a":

26 \$ ~~108,886~~
27 217,772

28 5. For programs for at-risk children under section 279.51:

29 \$ ~~5,364,446~~
30 10,728,891

31 The amount of any reduction in this subsection shall be
32 prorated among the programs specified in section 279.51,
33 subsection 1, paragraphs "a", "b", and "c".

34 6. For payment for nonpublic school transportation under
35 section 285.2:

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1 \$ 7,060,931
2 If total approved claims for reimbursement for nonpublic
3 school pupil transportation exceed the amount appropriated in
4 accordance with this subsection, the department of education
5 shall prorate the amount of each approved claim.

6 7. For the enforcement of chapter 453D relating to tobacco
7 product manufacturers under section 453D.8:

8 \$ 9,208
9 18,416

10 8. For reimbursement for the homestead property tax credit
11 under section 425.1:

12 \$ 86,188,387

13 9. For reimbursement for the family farm and agricultural
14 land tax credits under sections 425A.1 and 426.1:

15 \$ 32,395,131

16 Sec. 2. Section 16.27, subsections 4 and 5, Code 2011, are
17 amended by striking the subsections.

18 Sec. 3. Section 257.35, subsection 7, Code Supplement 2011,
19 is amended to read as follows:

20 7. Notwithstanding subsection 1, and in addition to the
21 reduction applicable pursuant to subsection 2, the state aid
22 for area education agencies and the portion of the combined
23 district cost calculated for these agencies for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, shall be
25 reduced by the department of management by ~~ten~~ twenty million
26 dollars. The reduction for each area education agency shall be
27 prorated based on the reduction that the agency received in the
28 fiscal year beginning July 1, 2003.

29 EXPLANATION

30 This bill relates to state financial matters.

31 In 2011 Iowa Acts, chapter 131, a list of standing
32 appropriations was limited for the fiscal year 2012-2013.
33 The bill increases the amount appropriated from the state
34 general fund for the following purposes: casino wagering tax
35 proceeds allocated for the department of cultural affairs for

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1 operational support grants and community cultural grants and
2 for regional tourism marketing; the center of congenital and
3 inherited disorders central registry; primary and secondary
4 child abuse prevention programs; programs for at-risk
5 children; and the enforcement of Code chapter 453D relating to
6 tobacco product manufacturers. The bill adds two additional
7 standing appropriations to the list. The bill limits standing
8 appropriations for reimbursement for the homestead property
9 tax credit and for reimbursement for the family farm and
10 agricultural land tax credits.

11 The bill amends Code section 16.27 to eliminate certain
12 bond reserve fund reporting requirements of the Iowa finance
13 authority and certain repayment of advances requirements of the
14 authority.

15 In Code section 257.35(7), as enacted by 2011 Iowa Acts,
16 chapter 131, the state aid for area education agencies and
17 the portion of combined district cost calculated for these
18 agencies for FY 2012-2013 was reduced by \$10 million. The bill
19 increases the reduction by \$10 million for a total \$20 million
20 reduction for FY 2012-2013.



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Senate Study Bill 3201 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON DVORSKY)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and including other related provisions and appropriations,
3 making penalties applicable, and including effective,
4 retroactive, and applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 DEPARTMENT ON AGING
3 Section 1. 2011 Iowa Acts, chapter 129, section 113, is
4 amended to read as follows:
5 SEC. 113. DEPARTMENT ON AGING. There is appropriated from
6 the general fund of the state to the department on aging for
7 the fiscal year beginning July 1, 2012, and ending June 30,
8 2013, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:
10 For aging programs for the department on aging and area
11 agencies on aging to provide citizens of Iowa who are 60 years
12 of age and older with case management for frail elders, Iowa's
13 aging and disabilities resource center, and other services
14 which may include but are not limited to adult day services,
15 respite care, chore services, information and assistance,
16 and material aid, for information and options counseling for
17 persons with disabilities who are 18 years of age or older,
18 and for salaries, support, administration, maintenance, and
19 miscellaneous purposes, and for not more than the following
20 full-time equivalent positions:
21 \$ ~~5,151,288~~
22 10,402,577
23 FTEs 35.00
24 1. Funds appropriated in this section may be used to
25 supplement federal funds under federal regulations. To
26 receive funds appropriated in this section, a local area
27 agency on aging shall match the funds with moneys from other
28 sources according to rules adopted by the department. Funds
29 appropriated in this section may be used for elderly services
30 not specifically enumerated in this section only if approved
31 by an area agency on aging for provision of the service within
32 the area.
33 2. The amount appropriated in this section includes
34 additional funding of ~~\$225,000~~ \$450,000 for delivery of
35 long-term care services to seniors with low or moderate



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1 incomes.

2 3. Of the funds appropriated in this section, ~~\$89,973~~
3 \$179,946 shall be transferred to the department of economic
4 development for the Iowa commission on volunteer services to be
5 used for the retired and senior volunteer program.

6 4. a. The department on aging shall establish and enforce
7 procedures relating to expenditure of state and federal funds
8 by area agencies on aging that require compliance with both
9 state and federal laws, rules, and regulations, including but
10 not limited to all of the following:

11 (1) Requiring that expenditures are incurred only for goods
12 or services received or performed prior to the end of the
13 fiscal period designated for use of the funds.

14 (2) Prohibiting prepayment for goods or services not
15 received or performed prior to the end of the fiscal period
16 designated for use of the funds.

17 (3) Prohibiting the prepayment for goods or services
18 not defined specifically by good or service, time period, or
19 recipient.

20 (4) Prohibiting the establishment of accounts from which
21 future goods or services which are not defined specifically by
22 good or service, time period, or recipient, may be purchased.

23 b. The procedures shall provide that if any funds are
24 expended in a manner that is not in compliance with the
25 procedures and applicable federal and state laws, rules, and
26 regulations, and are subsequently subject to repayment, the
27 area agency on aging expending such funds in contravention of
28 such procedures, laws, rules and regulations, not the state,
29 shall be liable for such repayment.

30 5. Of the funds appropriated in this section, \$100,000
31 shall be used to provide an additional local long-term care
32 resident's advocate. It is the intent of the general assembly
33 that the number of local long-term care resident's advocates
34 as provided in section 231.42 be increased each year until 15
35 local long-term care resident's advocates are available in the



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1 state.

2

DIVISION II

3

DEPARTMENT OF PUBLIC HEALTH

4 Sec. 2. 2011 Iowa Acts, chapter 129, section 114, is amended
5 to read as follows:

6 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
7 appropriated from the general fund of the state to the
8 department of public health for the fiscal year beginning July
9 1, 2012, and ending June 30, 2013, the following amounts, or
10 so much thereof as is necessary, to be used for the purposes
11 designated:

12 1. ADDICTIVE DISORDERS

13 For reducing the prevalence of use of tobacco, alcohol, and
14 other drugs, and treating individuals affected by addictive
15 behaviors, including gambling, and for not more than the
16 following full-time equivalent positions:

17	\$ 11,751,595
18	<u>26,003,190</u>
19	FTEs 13.00

20 a. (1) Of the funds appropriated in this subsection,
21 ~~\$1,626,915~~ \$5,753,830 shall be used for the tobacco use
22 prevention and control initiative, including efforts at the
23 state and local levels, as provided in chapter 142A. The
24 commission on tobacco use prevention and control established
25 pursuant to section 142A.3 shall advise the director of
26 public health in prioritizing funding needs and the allocation
27 of moneys appropriated for the programs and activities of
28 the initiative under this subparagraph (1) and shall make
29 recommendations to the director in the development of budget
30 requests relating to the initiative.

31 (2) Of the funds allocated in this paragraph "a", ~~\$226,915~~
32 \$453,830 shall be transferred to the alcoholic beverages
33 division of the department of commerce for enforcement of
34 tobacco laws, regulations, and ordinances in accordance with
35 2011 Iowa Acts, ~~House File 467, as enacted~~ chapter 63.

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- 1 b. Of the funds appropriated in this subsection,
2 ~~\$10,124,680~~ \$20,249,360 shall be used for problem gambling and
3 substance abuse prevention, treatment, and recovery services,
4 including a 24-hour helpline, public information resources,
5 professional training, and program evaluation.
6 (1) Of the funds allocated in this paragraph "b", ~~\$8,566,254~~
7 \$17,132,508 shall be used for substance abuse prevention and
8 treatment.
9 (a) Of the funds allocated in this subparagraph (1),
10 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
11 grant program to provide substance abuse prevention programming
12 for children.
13 (i) Of the funds allocated in this subparagraph division
14 (a), ~~\$213,769~~ \$427,539 shall be used for grant funding for
15 organizations that provide programming for children by
16 utilizing mentors. Programs approved for such grants shall be
17 certified or will be certified within six months of receiving
18 the grant award by the Iowa commission on volunteer services as
19 utilizing the standards for effective practice for mentoring
20 programs.
21 (ii) Of the funds allocated in this subparagraph division
22 (a), ~~\$213,419~~ \$426,839 shall be used for grant funding for
23 organizations that provide programming that includes youth
24 development and leadership. The programs shall also be
25 recognized as being programs that are scientifically based with
26 evidence of their effectiveness in reducing substance abuse in
27 children.
28 (iii) The department of public health shall utilize a
29 request for proposals process to implement the grant program.
30 (iv) All grant recipients shall participate in a program
31 evaluation as a requirement for receiving grant funds.
32 (v) Of the funds allocated in this subparagraph division
33 (a), up to ~~\$22,461~~ \$44,922 may be used to administer substance
34 abuse prevention grants and for program evaluations.
35 (b) Of the funds allocated in this subparagraph (1),



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1 ~~\$136,531~~ \$273,062 shall be used for culturally competent
2 substance abuse treatment pilot projects.

3 (i) The department shall utilize the amount allocated
4 in this subparagraph division (b) for at least three pilot
5 projects to provide culturally competent substance abuse
6 treatment in various areas of the state. Each pilot project
7 shall target a particular ethnic minority population. The
8 populations targeted shall include but are not limited to
9 African American, Asian, and Latino.

10 (ii) The pilot project requirements shall provide for
11 documentation or other means to ensure access to the cultural
12 competence approach used by a pilot project so that such
13 approach can be replicated and improved upon in successor
14 programs.

15 (2) Of the funds allocated in this paragraph "b", up
16 to ~~\$1,558,426~~ \$3,116,852 may be used for problem gambling
17 prevention, treatment, and recovery services.

18 (a) Of the funds allocated in this subparagraph (2),
19 ~~\$1,289,500~~ \$2,579,000 shall be used for problem gambling
20 prevention and treatment.

21 (b) Of the funds allocated in this subparagraph (2), up to
22 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public
23 information resources, professional training, and program
24 evaluation.

25 (c) Of the funds allocated in this subparagraph (2), up
26 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
27 gambling treatment programs.

28 (3) It is the intent of the general assembly that from the
29 moneys allocated in this paragraph "b", persons with a dual
30 diagnosis of substance abuse and gambling addictions shall be
31 given priority in treatment services.

32 c. Notwithstanding any provision of law to the contrary,
33 to standardize the availability, delivery, cost of delivery,
34 and accountability of problem gambling and substance abuse
35 treatment services statewide, the department shall continue



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1 implementation of a process to create a system for delivery
2 of treatment services in accordance with the requirements
3 specified in 2008 Iowa Acts, chapter 1187, section 3,
4 subsection 4. To ensure the system provides a continuum of
5 treatment services that best meets the needs of Iowans, the
6 problem gambling and substance abuse treatment services in any
7 area may be provided either by a single agency or by separate
8 agencies submitting a joint proposal.

9 (1) The system for delivery of substance abuse and problem
10 gambling treatment shall include problem gambling prevention.

11 (2) The system for delivery of substance abuse and problem
12 gambling treatment shall include substance abuse prevention by
13 July 1, 2014.

14 (3) Of the funds allocated in paragraph "b", the department
15 may use up to ~~\$50,000~~ \$100,000 for administrative costs to
16 continue developing and implementing the process in accordance
17 with this paragraph "c".

18 d. The requirement of section 123.53, subsection 5, is met
19 by the appropriations and allocations made in this Act for
20 purposes of substance abuse treatment and addictive disorders
21 for the fiscal year beginning July 1, 2012.

22 e. The department of public health shall work with all other
23 departments that fund substance abuse prevention and treatment
24 services and all such departments shall, to the extent
25 necessary, collectively meet the state maintenance of effort
26 requirements for expenditures for substance abuse services
27 as required under the federal substance abuse prevention and
28 treatment block grant.

29 f. The department shall amend or otherwise revise
30 departmental policies and contract provisions in order to
31 eliminate free t-shirt distribution, banner production, and
32 other unnecessary promotional expenditures.

33 2. HEALTHY CHILDREN AND FAMILIES

34 For promoting the optimum health status for children,
35 adolescents from birth through 21 years of age, and families,

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1 and for not more than the following full-time equivalent
2 positions:
3 \$ ~~1,297,135~~
4 2,694,270
5 FTEs 10.00

6 a. Of the funds appropriated in this subsection, not
7 more than ~~\$369,659~~ \$739,318 shall be used for the healthy
8 opportunities to experience success (HOPES)-healthy families
9 Iowa (HFI) program established pursuant to section 135.106.
10 The funding shall be distributed to renew the grants that were
11 provided to the grantees that operated the program during the
12 fiscal year ending June 30, 2012.

13 0b. (1) In order to implement the legislative intent
14 stated in sections 135.106 and 256I.9, that priority for
15 home visitation program funding be given to programs using
16 evidence-based or promising models for home visitation, it is
17 the intent of the general assembly to phase-in the funding
18 priority as follows:

19 (a) By July 1, 2013, 25 percent of state funds expended
20 for home visiting programs are for evidence-based or promising
21 program models.

22 (b) By July 1, 2014, 50 percent of state funds expended
23 for home visiting programs are for evidence-based or promising
24 program models.

25 (c) By July 1, 2015, 75 percent of state funds expended
26 for home visiting programs are for evidence-based or promising
27 program models.

28 (d) By July 1, 2016, 90 percent of state funds expended
29 for home visiting programs are for evidence-based or promising
30 program models. The remaining 10 percent of funds may be
31 used for innovative program models that do not yet meet the
32 definition of evidence-based or promising programs.

33 (2) For the purposes of this lettered paragraph, unless the
34 context otherwise requires:

35 (a) "Evidence-based program" means a program that is based

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1 on scientific evidence demonstrating that the program model
2 is effective. An evidence-based program shall be reviewed
3 onsite and compared to program model standards by the model
4 developer or the developer's designee at least every five years
5 to ensure that the program continues to maintain fidelity
6 with the program model. The program model shall have had
7 demonstrated significant and sustained positive outcomes in an
8 evaluation utilizing a well-designed and rigorous randomized
9 controlled research design or a quasi-experimental research
10 design, and the evaluation results shall have been published in
11 a peer-reviewed journal.

12 (b) "Family support programs" includes group-based parent
13 education or home visiting programs that are designed to
14 strengthen protective factors, including parenting skills,
15 increasing parental knowledge of child development, and
16 increasing family functioning and problem solving skills. A
17 family support program may be used as an early intervention
18 strategy to improve birth outcomes, parental knowledge, family
19 economic success, the home learning environment, family and
20 child involvement with others, and coordination with other
21 community resources. A family support program may have a
22 specific focus on preventing child maltreatment or ensuring
23 children are safe, healthy, and ready to succeed in school.

24 (c) "Promising program" means a program that meets all of
25 the following requirements:

26 (i) The program conforms to a clear, consistent family
27 support model that has been in existence for at least three
28 years.

29 (ii) The program is grounded in relevant empirically-based
30 knowledge.

31 (iii) The program is linked to program-determined outcomes.

32 (iv) The program is associated with a national or state
33 organization that either has comprehensive program standards
34 that ensure high-quality service delivery and continuous
35 program quality improvement or the program model has



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1 demonstrated through the program's benchmark outcomes that the
2 program has achieved significant positive outcomes equivalent
3 to those achieved by program models with published significant
4 and sustained results in a peer-reviewed journal.

5 (v) The program has been awarded the Iowa family support
6 credential and has been reviewed onsite at least every five
7 years to ensure the program's adherence to the Iowa family
8 support standards approved by the early childhood Iowa
9 state board created in section 256I.3 or a comparable set of
10 standards. The onsite review is completed by an independent
11 review team that is not associated with the program or the
12 organization administering the program.

13 (3) (a) The data reporting requirements applicable to
14 the HOPES-HFI program services shall include the requirements
15 adopted by the early childhood Iowa state board pursuant
16 to section 256I.4 for the family support programs targeted
17 to families expecting a child or with newborn and infant
18 children through age five and funded through the state board.
19 The department of public health may specify additional data
20 reporting requirements for the HOPES-HFI program services. The
21 HOPES-HFI program services shall be required to participate in
22 a state administered internet-based data collection system by
23 July 1, 2013. The annual reporting concerning the HOPES-HFI
24 program services shall include program outcomes beginning with
25 the 2015 report.

26 (b) The data on families served that is collected by the
27 HOPES-HFI program shall include but is not limited to basic
28 demographic information, services received, funding utilized,
29 and program outcomes for the children and families served.

30 (c) The HOPES-HFI program shall work with the early
31 childhood Iowa state board in the state board's efforts
32 to identify minimum competency standards for the employees
33 and supervisors of family support programs funded. The
34 HOPES-HFI program, along with the state board, shall submit
35 recommendations concerning the standards to the governor and



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1 general assembly on or before January 1, 2014.

2 (d) On or before January 1, 2013, the HOPES-HFI program
3 shall adopt criminal and child abuse record check requirements
4 for the employees and supervisors of family support programs
5 funded through the program.

6 (e) The HOPES-HFI program shall work with the early
7 childhood Iowa state board in the state board's efforts to
8 develop a plan to implement a coordinated intake and referral
9 process for publicly funded family support programs in order
10 to engage the families expecting a child or with newborn and
11 infant children through age five in all communities in the
12 state by July 1, 2015.

13 b. Of the funds appropriated in this subsection, ~~\$164,942~~
14 ~~\$329,885~~ shall be used to continue to address the healthy
15 mental development of children from birth through five years
16 of age through local evidence-based strategies that engage
17 both the public and private sectors in promoting healthy
18 development, prevention, and treatment for children. The
19 department shall work with the department of human services,
20 Iowa Medicaid enterprise, to develop a plan to secure matching
21 medical assistance program funding to provide services under
22 this paragraph, which may include a per member per month
23 payment to reimburse the care coordination and community
24 outreach services component that links young children and their
25 families with identified service needs.

26 c. Of the funds appropriated in this subsection, ~~\$15,798~~
27 ~~\$31,597~~ shall be distributed to a statewide dental carrier to
28 provide funds to continue the donated dental services program
29 patterned after the projects developed by the lifeline network
30 to provide dental services to indigent elderly and disabled
31 individuals.

32 d. Of the funds appropriated in this subsection, ~~\$56,338~~
33 ~~\$112,677~~ shall be used for childhood obesity prevention.

34 e. Of the funds appropriated in this subsection, ~~\$81,880~~
35 ~~\$163,760~~ shall be used to provide audiological services and

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1 hearing aids for children. The department may enter into a
2 contract to administer this paragraph.
3 f. Of the funds appropriated in this subsection, \$100,000
4 shall be transferred to the university of Iowa college of
5 dentistry for provision of primary dental services to children.
6 State funds shall be matched on a dollar-for-dollar basis.
7 The university of Iowa college of dentistry shall coordinate
8 efforts with the department of public health, bureau of oral
9 health, to provide dental care to underserved populations
10 throughout the state.
11 3. CHRONIC CONDITIONS
12 For serving individuals identified as having chronic
13 conditions or special health care needs, and for not more than
14 the following full-time equivalent positions:
15 \$ ~~1,680,828~~
16 3,419,028
17 FTEs ~~4.00~~
18 5.00
19 a. Of the funds appropriated in this subsection, ~~\$80,291~~
20 \$160,582 shall be used for grants to individual patients
21 who have phenylketonuria (PKU) to assist with the costs of
22 necessary special foods.
23 b. Of the funds appropriated in this subsection, ~~\$241,800~~
24 \$483,600 is allocated for continuation of the contracts for
25 resource facilitator services in accordance with section
26 135.22B, subsection 9, and for brain injury training services
27 and recruiting of service providers to increase the capacity
28 within this state to address the needs of individuals with
29 brain injuries and such individuals' families.
30 c. Of the funds appropriated in this subsection, ~~\$249,437~~
31 \$550,000 shall be used as additional funding to leverage
32 federal funding through the federal Ryan White Care Act, Tit.
33 II, AIDS drug assistance program supplemental drug treatment
34 grants.
35 d. Of the funds appropriated in this subsection, ~~\$15,627~~

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1 \$50,000 shall be used for the public purpose of providing
2 a grant to an existing national-affiliated organization to
3 provide education, client-centered programs, and client and
4 family support for people living with epilepsy and their
5 families.

6 e. Of the funds appropriated in this subsection, ~~\$394,151~~
7 \$788,303 shall be used for child health specialty clinics.

8 f. Of the funds appropriated in this subsection, ~~\$248,533~~
9 \$497,065 shall be used for the comprehensive cancer control
10 program to reduce the burden of cancer in Iowa through
11 prevention, early detection, effective treatment, and ensuring
12 quality of life. Of the funds allocated in this lettered
13 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
14 research symposium, a melanoma biorepository and registry,
15 basic and translational melanoma research, and clinical trials.

16 g. Of the funds appropriated in this subsection, ~~\$63,225~~
17 \$126,450 shall be used for cervical and colon cancer screening.

18 h. Of the funds appropriated in this subsection, ~~\$264,417~~
19 \$528,834 shall be used for the center for congenital and
20 inherited disorders. The number of full-time equivalent
21 positions authorized in this subsection includes one full-time
22 equivalent position to act as the state genetics coordinator.

23 i. Of the funds appropriated in this subsection, ~~\$64,968~~
24 \$129,937 shall be used for the prescription drug donation
25 repository program created in chapter 135M.

26 4. COMMUNITY CAPACITY

27 For strengthening the health care delivery system at the
28 local level, and for not more than the following full-time
29 equivalent positions:

30	\$	2,117,583
31		<u>5,822,987</u>
32	FTEs	14.00

33 a. Of the funds appropriated in this subsection, ~~\$50,000~~
34 \$100,000 is allocated for a child vision screening program
35 implemented through the university of Iowa hospitals and



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1 clinics in collaboration with early childhood Iowa areas.
2 b. Of the funds appropriated in this subsection, ~~\$55,654~~
3 \$111,308 is allocated for continuation of an initiative
4 implemented at the university of Iowa and ~~\$50,246~~ \$100,493
5 is allocated for continuation of an initiative at the state
6 mental health institute at Cherokee to expand and improve the
7 workforce engaged in mental health treatment and services.
8 The initiatives shall receive input from the university of
9 Iowa, the department of human services, the department of
10 public health, and the mental health and disability services
11 commission to address the focus of the initiatives.
12 c. Of the funds appropriated in this subsection, ~~\$585,745~~
13 \$1,171,491 shall be used for essential public health services
14 that promote healthy aging throughout the lifespan, contracted
15 through a formula for local boards of health, to enhance health
16 promotion and disease prevention services.
17 d. Of the funds appropriated in this section, ~~\$60,908~~
18 \$121,817 shall be deposited in the governmental public health
19 system fund created in section 135A.8 to be used for the
20 purposes of the fund.
21 e. Of the funds appropriated in this subsection, ~~\$72,271~~
22 \$144,542 shall be used for the mental health professional
23 shortage area program implemented pursuant to section 135.80.
24 f. Of the funds appropriated in this subsection, ~~\$19,131~~
25 \$38,263 shall be used for a grant to a statewide association
26 of psychologists that is affiliated with the American
27 psychological association to be used for continuation of a
28 program to rotate intern psychologists in placements in urban
29 and rural mental health professional shortage areas, as defined
30 in section ~~135.80~~ 135.180.
31 g. Of the funds appropriated in this subsection, the
32 following amounts shall be allocated to the Iowa collaborative
33 safety net provider network established pursuant to section
34 135.153 to be used for the purposes designated. The following
35 amounts allocated under this lettered paragraph shall be



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1 distributed to the specified provider and shall not be reduced
2 for administrative or other costs prior to distribution:
3 (1) For distribution to the Iowa primary care association
4 for statewide coordination of the Iowa collaborative safety net
5 provider network:
6 \$ 66,290
7 150,000
8 (1A) For distribution to the Iowa primary care association
9 to be used for the following women's health initiatives:
10 (a) To establish a grant program, in collaboration
11 with sexual assault response teams (SARTs) comprised of
12 representatives of law enforcement, victim advocates,
13 prosecutors, and certified medical personnel to expand the
14 response room model for use by SARTs throughout the state:
15 \$ 50,000
16 (b) To promote access to primary and preventive health care
17 and for provision of assistance to patients in determining an
18 appropriate medical home:
19 \$ 75,000
20 (1B) For distribution to federally qualified health centers
21 for necessary infrastructure, statewide coordination, provider
22 recruitment, service delivery, and provision of assistance to
23 patients in determining an appropriate medical home:
24 \$ 125,000
25 (2) For distribution to the local boards of health that
26 provide direct services for pilot programs in three counties to
27 assist patients in determining an appropriate medical home:
28 \$ 38,804
29 77,609
30 (3) For distribution to maternal and child health centers
31 for pilot programs in three counties to assist patients in
32 determining an appropriate medical home:
33 \$ 38,804
34 100,000
35 (4) For distribution to free clinics for necessary

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1 infrastructure, statewide coordination, provider recruitment,
2 service delivery, and provision of assistance to patients in
3 determining an appropriate medical home:

4 \$ 62,025
5 424,050

6 (5) For distribution to rural health clinics for necessary
7 infrastructure, statewide coordination, provider recruitment,
8 service delivery, and provision of assistance to patients in
9 determining an appropriate medical home:

10 \$ 55,215
11 150,000

12 (6) For continuation of the safety net provider patient
13 access to specialty health care initiative as described in 2007
14 Iowa Acts, chapter 218, section 109:

15 \$ 130,000
16 400,000

17 (7) For continuation of the pharmaceutical infrastructure
18 for safety net providers as described in 2007 Iowa Acts,
19 chapter 218, section 108:

20 \$ 135,000
21 435,000

22 The Iowa collaborative safety net provider network may
23 continue to distribute funds allocated pursuant to this
24 lettered paragraph through existing contracts or renewal of
25 existing contracts.

26 h. ~~(1)~~ Of the funds appropriated in this subsection,
27 ~~\$74,500~~ \$337,440 shall be used for ~~continued implementation~~
28 ~~of the recommendations of the direct care worker task force~~
29 ~~established pursuant to 2005 Iowa Acts, chapter 88, based~~
30 ~~upon the report submitted to the governor and the general~~
31 ~~assembly in December 2006. The department may use a portion~~
32 ~~of the funds allocated in this lettered paragraph for an~~
33 ~~additional position to assist in the continued implementation~~
34 the purposes of the board of direct care professionals as
35 established pursuant to the division of this Act enacting new



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1 Code chapter 152F. The direct care worker advisory council
2 established pursuant to 2008 Iowa Acts, chapter 1188, section
3 69, may continue to provide expertise and leadership relating
4 to the recommendations in the advisory council's final report
5 submitted to the governor and the general assembly in March
6 2012.

7 i. (1) Of the funds appropriated in this subsection,
8 ~~\$65,050~~ \$145,100 shall be used for allocation to an independent
9 statewide direct care worker association that serves the
10 entirety of the direct care workforce under a contract with
11 terms determined by the director of public health relating
12 to education, outreach, leadership development, mentoring,
13 and other initiatives intended to enhance the recruitment and
14 retention of direct care workers in health care and long-term
15 care settings.

16 (2) Of the funds appropriated in this subsection, ~~\$29,000~~
17 \$58,000 shall be used to provide scholarships or other forms of
18 subsidization for direct care worker educational conferences,
19 training, or outreach activities.

20 j. Of the funds appropriated in this subsection, the
21 department may use up to ~~\$29,259~~ \$58,518 for up to one
22 full-time equivalent position to administer the volunteer
23 health care provider program pursuant to section 135.24.

24 k. Of the funds appropriated in this subsection, ~~\$25,000~~
25 \$50,000 shall be used for a matching dental education loan
26 repayment program to be allocated to a dental nonprofit health
27 service corporation to develop the criteria and implement the
28 loan repayment program.

29 l. Of the funds appropriated in this subsection, \$250,000
30 shall be used as state matching funds for the primary care
31 provider recruitment and retention endeavor established
32 pursuant to section 135.107. Notwithstanding any provision
33 to the contrary including whether a community is located in a
34 federally designated health professional shortage area, the
35 funds shall be used for loans to medical students who upon



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1 receiving a permanent license in this state will engage in
2 the full-time practice of medicine and surgery or osteopathic
3 medicine and surgery specializing in family medicine,
4 pediatrics, psychiatry, internal medicine, or general surgery
5 in a city within the state with a population of less than
6 26,000 that is located more than 20 miles from a city with a
7 population of 50,000 or more. The department may adopt rules
8 pursuant to chapter 17A to implement this paragraph "l".

9 m. Of the funds appropriated in this subsection, \$100,000
10 shall be used for the purposes of the Iowa donor registry as
11 specified in section 142C.18.

12 n. Of the funds appropriated in this subsection, \$100,000
13 shall be used for continuation of a grant to a nationally
14 affiliated volunteer eye organization that has an established
15 program for children and adults and that is solely dedicated to
16 preserving sight and preventing blindness through education,
17 nationally certified vision screening and training, and
18 community and patient service programs.

19 5. HEALTHY AGING

20 To provide public health services that reduce risks and
21 invest in promoting and protecting good health over the
22 course of a lifetime with a priority given to older Iowans and
23 vulnerable populations:

24 \$ ~~3,648,571~~
25 7,297,142

26 a. Of the funds appropriated in this subsection, ~~\$1,004,593~~
27 \$2,009,187 shall be used for local public health nursing
28 services.

29 b. Of the funds appropriated in this subsection, ~~\$2,643,977~~
30 \$5,287,955 shall be used for home care aide services.

31 6. ENVIRONMENTAL HAZARDS

32 For reducing the public's exposure to hazards in the
33 environment, primarily chemical hazards, and for not more than
34 the following full-time equivalent positions:

35 \$ ~~406,888~~

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1 813,777
2 FTEs 4.00
3 Of the funds appropriated in this subsection, \$272,188
4 \$544,377 shall be used for childhood lead poisoning provisions.
5 7. INFECTIOUS DISEASES
6 a. For reducing the incidence and prevalence of
7 communicable diseases, and for not more than the following
8 full-time equivalent positions:
9 \$ 672,923
10 2,895,847
11 FTEs 4.00
12 b. For the human papillomavirus vaccination public
13 awareness program in accordance with section 135.11, subsection
14 31, as enacted by this Act:
15 \$ 50,000
16 The department of public health may seek private sector
17 moneys for the purpose of supporting the public awareness
18 program.
19 c. For provision of vaccinations for human papillomavirus
20 to persons age 19 through 26 with incomes below 300 percent
21 of the federal poverty level, as defined by the most recently
22 revised poverty income guidelines issued by the United States
23 department of health and human services, who are not covered
24 by a third-party payer health policy or contract that pays for
25 such vaccinations:
26 \$ 1,000,000
27 The department shall distribute the amount appropriated in
28 this lettered paragraph to providers on behalf of eligible
29 persons within the target population.
30 d. For provision of early prevention screening by pap smear
31 and advanced screening by colposcope for women with incomes
32 below 300 percent of the federal poverty level, as defined by
33 the most recently revised poverty income guidelines issued by
34 the United States department of health and human services,
35 who are not covered by a third-party payer health policy or

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1 contract that pays for such procedures and related laboratory
2 services:

3 \$ 500,000

4 The department shall distribute the amount appropriated in
5 this lettered paragraph to providers on behalf of eligible
6 persons within the target population.

7 8. PUBLIC PROTECTION

8 For protecting the health and safety of the public through
9 establishing standards and enforcing regulations, and for not
10 more than the following full-time equivalent positions:

11 \$ ~~1,388,116~~

12 2,879,127

13 FTEs 125.00

14 a. Of the funds appropriated in this subsection, not more
15 than ~~\$235,845~~ \$471,690 shall be credited to the emergency
16 medical services fund created in section 135.25. Moneys in
17 the emergency medical services fund are appropriated to the
18 department to be used for the purposes of the fund.

19 b. Of the funds appropriated in this subsection, ~~\$105,309~~
20 \$210,619 shall be used for sexual violence prevention
21 programming through a statewide organization representing
22 programs serving victims of sexual violence through the
23 department's sexual violence prevention program. The amount
24 allocated in this lettered paragraph shall not be used to
25 supplant funding administered for other sexual violence
26 prevention or victims assistance programs.

27 c. Of the funds appropriated in this subsection, not more
28 than ~~\$218,291~~ \$539,477 shall be used for the state poison
29 control center.

30 9. RESOURCE MANAGEMENT

31 For establishing and sustaining the overall ability of the
32 department to deliver services to the public, and for not more
33 than the following full-time equivalent positions:

34 \$ ~~409,777~~

35 819,554

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1 FTEs 7.00

2 The university of Iowa hospitals and clinics under the
3 control of the state board of regents shall not receive
4 indirect costs from the funds appropriated in this section.
5 The university of Iowa hospitals and clinics billings to the
6 department shall be on at least a quarterly basis.

7 DIVISION III

8 DEPARTMENT OF VETERANS AFFAIRS

9 Sec. 3. 2011 Iowa Acts, chapter 129, section 115, is amended
10 to read as follows:

11 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There is
12 appropriated from the general fund of the state to the
13 department of veterans affairs for the fiscal year beginning
14 July 1, 2012, and ending June 30, 2013, the following amounts,
15 or so much thereof as is necessary, to be used for the purposes
16 designated:

17 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

18 For salaries, support, maintenance, and miscellaneous
19 purposes, including the war orphans educational assistance fund
20 created in section 35.8, and for not more than the following
21 full-time equivalent positions:

22 \$ 499,416
23 1,010,832
24 FTEs 16.34

25 2. IOWA VETERANS HOME

26 For salaries, support, maintenance, and miscellaneous
27 purposes:

28 \$ 4,476,075
29 8,952,151

30 a. The Iowa veterans home billings involving the department
31 of human services shall be submitted to the department on at
32 least a monthly basis.

33 b. If there is a change in the employer of employees
34 providing services at the Iowa veterans home under a collective
35 bargaining agreement, such employees and the agreement shall



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1 be continued by the successor employer as though there had not
2 been a change in employer.

3 c. Within available resources and in conformance with
4 associated state and federal program eligibility requirements,
5 the Iowa veterans home may implement measures to provide
6 financial assistance to or on behalf of veterans or their
7 spouses who are participating in the community reentry program.

8 d. The Iowa veterans home expenditure report shall be
9 submitted monthly to the legislative services agency.

10 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
11 VETERANS

12 For provision of educational assistance pursuant to section
13 35.9:

14 \$ 6,208
15 12,416

16 4. HOME OWNERSHIP ASSISTANCE PROGRAM

17 For transfer to the Iowa finance authority for the
18 continuation of the home ownership assistance program for
19 persons who are or were eligible members of the armed forces of
20 the United States, pursuant to section 16.54:

21 \$ 1,600,000

22 Sec. 4. 2011 Iowa Acts, chapter 129, section 116, is amended
23 to read as follows:

24 SEC. 116. LIMITATION OF COUNTY COMMISSION OF VETERANS
25 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
26 standing appropriation in the following designated section for
27 the fiscal year beginning July 1, 2012, and ending June 30,
28 2013, the amounts appropriated from the general fund of the
29 state pursuant to that section for the following designated
30 purposes shall not exceed the following amount:

31 For the county commissions of veterans affairs fund under
32 section 35A.16:

33 \$ 495,000
34 990,000

35 DIVISION IV

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1 DEPARTMENT OF HUMAN SERVICES
2 Sec. 5. 2011 Iowa Acts, chapter 129, section 117, is amended
3 to read as follows:
4 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
5 GRANT. There is appropriated from the fund created in section
6 8.41 to the department of human services for the fiscal year
7 beginning July 1, 2012, and ending June 30, 2013, from moneys
8 received under the federal temporary assistance for needy
9 families (TANF) block grant pursuant to the federal Personal
10 Responsibility and Work Opportunity Reconciliation Act of 1996,
11 Pub. L. No. 104-193, and successor legislation, and from moneys
12 received under the emergency contingency fund for temporary
13 assistance for needy families state program established
14 pursuant to the federal American Recovery and Reinvestment Act
15 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
16 the following amounts, or so much thereof as is necessary, to
17 be used for the purposes designated:
18 1. To be credited to the family investment program account
19 and used for assistance under the family investment program
20 under chapter 239B:
21 \$ ~~10,750,369~~
22 19,790,365
23 2. To be credited to the family investment program account
24 and used for the job opportunities and basic skills (JOBS)
25 program and implementing family investment agreements in
26 accordance with chapter 239B:
27 \$ ~~6,205,764~~
28 12,411,528
29 3. To be used for the family development and
30 self-sufficiency grant program in accordance with section
31 216A.107:
32 \$ ~~1,449,490~~
33 2,898,980
34 Notwithstanding section 8.33, moneys appropriated in this
35 subsection that remain unencumbered or unobligated at the close



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1 of the fiscal year shall not revert but shall remain available
2 for expenditure for the purposes designated until the close of
3 the succeeding fiscal year. However, unless such moneys are
4 encumbered or obligated on or before September 30, 2013, the
5 moneys shall revert.

6 4. For field operations:

7 \$ ~~15,648,116~~
8 31,296,232

9 5. For general administration:

10 \$ ~~1,872,000~~
11 3,744,000

12 6. For state child care assistance:

13 \$ ~~8,191,343~~
14 16,382,687

15 The funds appropriated in this subsection shall be
16 transferred to the child care and development block grant
17 appropriation made pursuant to 2011 Iowa Acts, chapter
18 126, section 32, by the Eighty-fourth General Assembly,
19 2012 Session, for the federal fiscal year beginning October
20 1, 2012, and ending September 30, 2013. Of this amount,
21 ~~\$100,000~~ \$200,000 shall be used for provision of educational
22 opportunities to registered child care home providers in order
23 to improve services and programs offered by this category
24 of providers and to increase the number of providers. The
25 department may contract with institutions of higher education
26 or child care resource and referral centers to provide
27 the educational opportunities. Allowable administrative
28 costs under the contracts shall not exceed 5 percent. The
29 application for a grant shall not exceed two pages in length.

30 7. For distribution to counties for state case services
31 for persons with mental health and illness, an intellectual
32 disability, or a developmental disabilities community services
33 disability in accordance with section 331.440:

34 \$ ~~2,447,026~~
35 4,894,052

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1 8. For child and family services:
2 \$ ~~16,042,215~~
3 32,084,430
4 9. For child abuse prevention grants:
5 \$ ~~62,500~~
6 125,000
7 10. For pregnancy prevention grants on the condition that
8 family planning services are funded:
9 \$ ~~965,033~~
10 1,930,067
11 Pregnancy prevention grants shall be awarded to programs
12 in existence on or before July 1, 2012, if the programs have
13 demonstrated positive outcomes. Grants shall be awarded to
14 pregnancy prevention programs which are developed after July
15 1, 2012, if the programs are based on existing models that
16 have demonstrated positive outcomes. Grants shall comply with
17 the requirements provided in 1997 Iowa Acts, chapter 208,
18 section 14, subsections 1 and 2, including the requirement that
19 grant programs must emphasize sexual abstinence. Priority in
20 the awarding of grants shall be given to programs that serve
21 areas of the state which demonstrate the highest percentage of
22 unplanned pregnancies of females of childbearing age within the
23 geographic area to be served by the grant.
24 11. For technology needs and other resources necessary
25 to meet federal welfare reform reporting, tracking, and case
26 management requirements:
27 \$ ~~518,593~~
28 1,037,186
29 12. To be credited to the state child care assistance
30 appropriation made in this section to be used for funding of
31 community-based early childhood programs targeted to children
32 from birth through five years of age developed by early
33 childhood Iowa areas as provided in section 256I.11:
34 \$ ~~3,175,000~~
35 6,350,000

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1 The department shall transfer TANF block grant funding
2 appropriated and allocated in this subsection to the child care
3 and development block grant appropriation in accordance with
4 federal law as necessary to comply with the provisions of this
5 subsection.

6 13. a. Notwithstanding any provision to the contrary,
7 including but not limited to requirements in section 8.41 or
8 provisions in 2011 or 2012 Iowa Acts regarding the receipt
9 and appropriation of federal block grants, federal funds
10 from the ~~emergency contingency fund~~ for temporary assistance
11 for needy families ~~state program established pursuant to the~~
12 ~~federal American Recovery and Reinvestment Act of 2009, Pub.~~
13 ~~L. No. 111-5 § 2101,~~ block grant received by the state during
14 ~~the fiscal year beginning July 1, 2011, and ending June 30,~~
15 ~~2012,~~ not otherwise appropriated in this section and remaining
16 available ~~as of~~ for the fiscal year beginning July 1, 2012, and
17 ~~received by the state during the fiscal year beginning July~~
18 ~~1, 2012, and ending June 30, 2013,~~ are appropriated to the
19 department of human services to the extent as may be necessary
20 to be used in the following priority order: the family
21 investment program for the fiscal year and for state child care
22 assistance program payments for individuals enrolled in the
23 family investment program who are employed. The federal funds
24 appropriated in this paragraph "a" shall be expended only after
25 all other funds appropriated in subsection 1 for the assistance
26 under the family investment program under chapter 239B have
27 been expended.

28 b. The department shall, on a quarterly basis, advise the
29 legislative services agency and department of management of
30 the amount of funds appropriated in this subsection that was
31 expended in the prior quarter.

32 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
33 \$12,962,008 for the fiscal year beginning July 1, 2012, shall
34 be transferred to the appropriation of the federal social
35 services block grant made for that fiscal year.



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1 15. For continuation of the program allowing the department
2 to maintain categorical eligibility for the food assistance
3 program as required under the section of this division relating
4 to the family investment account:

5 \$ 73,036
6 25,000

7 16. The department may transfer funds allocated in this
8 section to the appropriations made in this division of this Act
9 for general administration and field operations for resources
10 necessary to implement and operate the services referred to in
11 this section and those funded in the appropriation made in this
12 division of this Act for the family investment program from the
13 general fund of the state.

14 Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended
15 to read as follows:

16 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

17 1. Moneys credited to the family investment program (FIP)
18 account for the fiscal year beginning July 1, 2012, and
19 ending June 30, 2013, shall be used to provide assistance in
20 accordance with chapter 239B.

21 2. The department may use a portion of the moneys credited
22 to the FIP account under this section as necessary for
23 salaries, support, maintenance, and miscellaneous purposes.

24 3. The department may transfer funds allocated in this
25 section to the appropriations in this division of this Act
26 for general administration and field operations for resources
27 necessary to implement and operate the services referred to in
28 this section and those funded in the appropriation made in this
29 division of this Act for the family investment program from the
30 general fund of the state.

31 4. Moneys appropriated in this division of this Act and
32 credited to the FIP account for the fiscal year beginning July
33 1, 2012, and ending June 30, 2013, are allocated as follows:

34 a. To be retained by the department of human services to
35 be used for coordinating with the department of human rights

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1 to more effectively serve participants in the FIP program and
2 other shared clients and to meet federal reporting requirements
3 under the federal temporary assistance for needy families block
4 grant:

5 \$ ~~10,000~~
6 20,000

7 b. To the department of human rights for staffing,
8 administration, and implementation of the family development
9 and self-sufficiency grant program in accordance with section
10 216A.107:

11 \$ ~~2,671,417~~
12 5,942,834

13 (1) Of the funds allocated for the family development and
14 self-sufficiency grant program in this lettered paragraph,
15 not more than 5 percent of the funds shall be used for the
16 administration of the grant program.

17 (2) The department of human rights may continue to implement
18 the family development and self-sufficiency grant program
19 statewide during fiscal year 2012-2013.

20 c. For the diversion subaccount of the FIP account:

21 \$ ~~849,200~~
22 1,698,400

23 A portion of the moneys allocated for the subaccount may
24 be used for field operations salaries, data management system
25 development, and implementation costs and support deemed
26 necessary by the director of human services in order to
27 administer the FIP diversion program.

28 d. For the food stamp employment and training program:

29 \$ ~~33,294~~
30 66,588

31 (1) The department shall amend the food stamp employment and
32 training state plan in order to maximize to the fullest extent
33 permitted by federal law the use of the 50-50 match provisions
34 for the claiming of allowable federal matching funds from the
35 United States department of agriculture pursuant to the federal

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1 food stamp employment and training program for providing
2 education, employment, and training services for eligible food
3 assistance program participants, including but not limited to
4 related dependent care and transportation expenses.

5 (2) The department shall continue the categorical federal
6 food assistance program eligibility at 160 percent of the
7 federal poverty level and continue to eliminate the asset test
8 from eligibility requirements, consistent with federal food
9 assistance program requirements. The department shall include
10 as many food assistance households as is allowed by federal
11 law. The eligibility provisions shall conform to all federal
12 requirements including requirements addressing individuals who
13 are incarcerated or otherwise ineligible.

14 e. For the JOBS program:

15 \$ ~~10,117,952~~
16 20,235,905

17 5. Of the child support collections assigned under FIP,
18 an amount equal to the federal share of support collections
19 shall be credited to the child support recovery appropriation
20 made in this division of this Act. Of the remainder of the
21 assigned child support collections received by the child
22 support recovery unit, a portion shall be credited to the FIP
23 account, a portion may be used to increase recoveries, and a
24 portion may be used to sustain cash flow in the child support
25 payments account. If as a consequence of the appropriations
26 and allocations made in this section the resulting amounts
27 are insufficient to sustain cash assistance payments and meet
28 federal maintenance of effort requirements, the department
29 shall seek supplemental funding. If child support collections
30 assigned under FIP are greater than estimated or are otherwise
31 determined not to be required for maintenance of effort, the
32 state share of either amount may be transferred to or retained
33 in the child support payment account.

34 6. The department may adopt emergency rules for the family
35 investment, JOBS, food stamp, and medical assistance programs

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1 if necessary to comply with federal requirements.

2 Sec. 7. 2011 Iowa Acts, chapter 129, section 119, is amended
3 to read as follows:

4 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
5 is appropriated from the general fund of the state to the
6 department of human services for the fiscal year beginning July
7 1, 2012, and ending June 30, 2013, the following amount, or
8 so much thereof as is necessary, to be used for the purpose
9 designated:

10 To be credited to the family investment program (FIP)
11 account and used for family investment program assistance under
12 chapter 239B:

13 \$ ~~25,085,513~~
14 50,742,028

15 1. Of the funds appropriated in this section, ~~\$3,912,188~~
16 \$7,824,377 is allocated for the JOBS program.

17 2. Of the funds appropriated in this section, ~~\$1,231,927~~
18 \$3,063,854 is allocated for the family development and
19 self-sufficiency grant program.

20 3. Notwithstanding section 8.39, for the fiscal year
21 beginning July 1, 2012, if necessary to meet federal
22 maintenance of effort requirements or to transfer federal
23 temporary assistance for needy families block grant funding
24 to be used for purposes of the federal social services block
25 grant or to meet cash flow needs resulting from delays in
26 receiving federal funding or to implement, in accordance with
27 this division of this Act, activities currently funded with
28 juvenile court services, county, or community moneys and state
29 moneys used in combination with such moneys, the department
30 of human services may transfer funds within or between any
31 of the appropriations made in this division of this Act and
32 appropriations in law for the federal social services block
33 grant to the department for the following purposes, provided
34 that the combined amount of state and federal temporary
35 assistance for needy families block grant funding for each



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1 appropriation remains the same before and after the transfer:

2 a. For the family investment program.

3 b. For child care assistance.

4 c. For child and family services.

5 d. For field operations.

6 e. For general administration.

7 f. ~~MH/MR/DD/BI community services (local purchase).~~

8 For distribution to counties for state case services for
9 persons with mental illness, an intellectual disability, or a
10 developmental disability in accordance with section 331.440.

11 This subsection shall not be construed to prohibit the use
12 of existing state transfer authority for other purposes. The
13 department shall report any transfers made pursuant to this
14 subsection to the legislative services agency.

15 4. Of the funds appropriated in this section, ~~\$97,839~~
16 \$195,678 shall be used for continuation of a grant to an
17 Iowa-based nonprofit organization with a history of providing
18 tax preparation assistance to low-income Iowans in order to
19 expand the usage of the earned income tax credit. The purpose
20 of the grant is to supply this assistance to underserved areas
21 of the state.

22 4A. Of the funds appropriated in this section, \$500,000
23 shall be used for distribution to a nonprofit, tax-exempt
24 association that receives donations under section 170 of the
25 Internal Revenue Code and whose members include Iowa food
26 banks and their affiliates that together serve all counties
27 in the state, to be used to purchase food for distribution to
28 food-insecure Iowans:

29 \$ 500,000

30 In purchasing food under this subsection, a preference
31 shall be given to the purchase of food produced, processed, or
32 packaged within this state whenever reasonably practicable.

33 5. The department may transfer funds appropriated in this
34 section to the appropriations made in this division of this Act
35 for general administration and field operations as necessary



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1 to administer this section and the overall family investment
2 program.

3 Sec. 8. 2011 Iowa Acts, chapter 129, section 120, is amended
4 to read as follows:

5 SEC. 120. CHILD SUPPORT RECOVERY. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2012, and ending
8 June 30, 2013, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For child support recovery, including salaries, support,
11 maintenance, and miscellaneous purposes, and for not more than
12 the following full-time equivalent positions:

13	\$	6,559,627
14		<u>13,377,993</u>
15	FTEs	475.00

16 1. The department shall expend up to ~~\$12,164~~ \$24,329,
17 including federal financial participation, for the fiscal year
18 beginning July 1, 2012, for a child support public awareness
19 campaign. The department and the office of the attorney
20 general shall cooperate in continuation of the campaign. The
21 public awareness campaign shall emphasize, through a variety
22 of media activities, the importance of maximum involvement of
23 both parents in the lives of their children as well as the
24 importance of payment of child support obligations.

25 2. Federal access and visitation grant moneys shall be
26 issued directly to private not-for-profit agencies that provide
27 services designed to increase compliance with the child access
28 provisions of court orders, including but not limited to
29 neutral visitation sites and mediation services.

30 3. The appropriation made to the department for child
31 support recovery may be used throughout the fiscal year in the
32 manner necessary for purposes of cash flow management, and for
33 cash flow management purposes the department may temporarily
34 draw more than the amount appropriated, provided the amount
35 appropriated is not exceeded at the close of the fiscal year.

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1 4. With the exception of the funding amount specified, the
2 requirements established under 2001 Iowa Acts, chapter 191,
3 section 3, subsection 5, paragraph "c", subparagraph (3), shall
4 be applicable to parental obligation pilot projects for the
5 fiscal year beginning July 1, 2012, and ending June 30, 2013.
6 Notwithstanding 441 IAC 100.8, providing for termination of
7 rules relating to the pilot projects, the rules shall remain
8 in effect until June 30, 2013.

9 Sec. 9. 2011 Iowa Acts, chapter 129, section 121, is amended
10 to read as follows:

11 SEC. 121. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any
12 funds remaining in the health care trust fund created in
13 section 453A.35A for the fiscal year beginning July 1, 2012,
14 and ending June 30, 2013, are appropriated to the department
15 of human services to supplement the medical assistance program
16 appropriations made in this Act, for medical assistance
17 reimbursement and associated costs, including program
18 administration and costs associated with implementation.

19 MEDICAL ASSISTANCE PROGRAM

20 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
21 unnumbered paragraph 2, is amended to read as follows:

22 For medical assistance program reimbursement and associated
23 costs as specifically provided in the reimbursement
24 methodologies in effect on June 30, 2012, except as otherwise
25 expressly authorized by law, and consistent with options under
26 federal law and regulations:

27 ~~\$914,993,421~~
28 845,251,256

29 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

30 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
31 subsection 11, paragraph a, unnumbered paragraph 1, is amended
32 to read as follows:

33 Of the funds appropriated in this section, ~~\$7,425,684~~
34 \$7,678,245 is allocated for the state match for a
35 disproportionate share hospital payment of \$19,133,430 to



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1 hospitals that meet both of the conditions specified in
2 subparagraphs (1) and (2). In addition, the hospitals that
3 meet the conditions specified shall either certify public
4 expenditures or transfer to the medical assistance program
5 an amount equal to provide the nonfederal share for a
6 disproportionate share hospital payment of \$7,500,000. The
7 hospitals that meet the conditions specified shall receive and
8 retain 100 percent of the total disproportionate share hospital
9 payment of \$26,633,430.

10 MEDICAL ASSISTANCE — IOWACARE TRANSFER

11 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
12 subsection 13, is amended to read as follows:

13 13. Of the funds appropriated in this section, up to
14 ~~\$4,480,304~~ \$8,684,329 may be transferred to the IowaCare
15 account created in section 249J.24.

16 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

17 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
18 subsection 20, paragraphs a and d, are amended to read as
19 follows:

20 a. The department may continue to implement cost
21 containment strategies recommended by the governor, ~~and for~~
22 the fiscal year beginning July 1, 2011, and shall implement
23 new strategies for the fiscal year beginning July 1, 2012, as
24 specified in this division of this 2012 Act. The department
25 may adopt emergency rules for such implementation.

26 d. If the savings to the medical assistance program for
27 the fiscal year beginning July 1, 2012, exceed the cost, the
28 department may transfer any savings generated for the fiscal
29 year due to medical assistance program cost containment efforts
30 initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive
31 Order No. 20, issued December 16, 2009, or cost containment
32 strategies initiated pursuant to this subsection, to the
33 appropriation made in this division of this Act for medical
34 contracts or general administration to defray the increased
35 contract costs associated with implementing such efforts.

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1 Sec. 14. 2011 Iowa Acts, chapter 129, section 122, is
2 amended by adding the following new subsections:

3 NEW SUBSECTION. 23. The department shall implement a
4 hospital inpatient reimbursement policy to provide for the
5 combining of an original claim for an inpatient stay with a
6 claim for a subsequent inpatient stay when the patient is
7 admitted within seven days of discharge from the original
8 hospital stay for the same condition.

9 NEW SUBSECTION. 24. The department shall transition
10 payment for and administration of services provided by
11 psychiatric medical institutions for children to the Iowa plan.

12 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH DISABILITIES

13 Sec. 15. 2011 Iowa Acts, chapter 129, section 122, is
14 amended by adding the following new subsection:

15 NEW SUBSECTION. 25. The department of human services
16 shall adopt rules for the Medicaid for employed people with
17 disabilities program to provide that until such time as
18 the department adopts rules, annually, to implement the
19 most recently revised poverty guidelines published by the
20 United States department of health and human services, the
21 calculation of gross income eligibility shall not include any
22 increase in unearned income attributable to a social security
23 cost-of-living adjustment for an individual or member of the
24 individual's family whose unearned income is included in such
25 calculation.

26 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

27 Sec. 16. 2011 Iowa Acts, chapter 129, section 122, is
28 amended by adding the following new subsection:

29 NEW SUBSECTION. 27. The funds received through
30 participation in the medical assistance state balancing
31 incentive payments program created pursuant to section 10202
32 of the federal Patient Protection and Affordable Care Act of
33 2010, Pub. L. No. 111-148 (2010), as amended by the federal
34 Health Care and Education Reconciliation Act of 2010, Pub.
35 L. No. 111-152, are appropriated to and shall be used by the

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1 department of human services to comply with the requirements
2 of the program including developing a no wrong door single
3 entry point system; providing a conflict-free case management
4 system; providing core standardized assessment instruments;
5 complying with data collection requirements relating to
6 services, quality, and outcomes; meeting the applicable target
7 spending percentage required under the program to rebalance
8 long-term care spending under the medical assistance program
9 between home and community-based services and institution-based
10 services; and for new or expanded medical assistance program
11 non-institutionally based long-term care services and supports.

12 Sec. 17. 2011 Iowa Acts, chapter 129, section 123, is
13 amended to read as follows:

14 SEC. 123. MEDICAL CONTRACTS. There is appropriated from the
15 general fund of the state to the department of human services
16 for the fiscal year beginning July 1, 2012, and ending June 30,
17 2013, the following amount, or so much thereof as is necessary,
18 to be used for the purpose designated:

19 For medical contracts:

20	\$ 5,453,728
21	<u>8,460,680</u>

22 1. The department of inspections and appeals shall
23 provide all state matching funds for survey and certification
24 activities performed by the department of inspections
25 and appeals. The department of human services is solely
26 responsible for distributing the federal matching funds for
27 such activities.

28 2. Of the funds appropriated in this section, ~~\$25,000~~
29 \$50,000 shall be used for continuation of home and
30 community-based services waiver quality assurance programs,
31 including the review and streamlining of processes and policies
32 related to oversight and quality management to meet state and
33 federal requirements.

34 3. Of the amount appropriated in this section, up to
35 \$200,000 may be transferred to the appropriation for general



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1 administration in this division of this Act to be used for
2 additional full-time equivalent positions in the development of
3 key health initiatives such as cost containment, development
4 and oversight of managed care programs, and development of
5 health strategies targeted toward improved quality and reduced
6 costs in the Medicaid program.

7 Sec. 18. 2011 Iowa Acts, chapter 129, section 124, is
8 amended to read as follows:

9 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

10 1. There is appropriated from the general fund of the
11 state to the department of human services for the fiscal year
12 beginning July 1, 2012, and ending June 30, 2013, the following
13 amount, or so much thereof as is necessary, to be used for the
14 purpose designated:

15 For the state supplementary assistance program:

16 \$ ~~8,425,373~~
17 15,450,747

18 2. The department shall increase the personal needs
19 allowance for residents of residential care facilities by the
20 same percentage and at the same time as federal supplemental
21 security income and federal social security benefits are
22 increased due to a recognized increase in the cost of living.
23 The department may adopt emergency rules to implement this
24 subsection.

25 3. If during the fiscal year beginning July 1, 2012,
26 the department projects that state supplementary assistance
27 expenditures for a calendar year will not meet the federal
28 pass-through requirement specified in Tit. XVI of the federal
29 Social Security Act, section 1618, as codified in 42 U.S.C.
30 § 1382g, the department may take actions including but not
31 limited to increasing the personal needs allowance for
32 residential care facility residents and making programmatic
33 adjustments or upward adjustments of the residential care
34 facility or in-home health-related care reimbursement rates
35 prescribed in this division of this Act to ensure that federal

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1 requirements are met. In addition, the department may make
2 other programmatic and rate adjustments necessary to remain
3 within the amount appropriated in this section while ensuring
4 compliance with federal requirements. The department may adopt
5 emergency rules to implement the provisions of this subsection.

6 Sec. 19. 2011 Iowa Acts, chapter 129, section 125, is
7 amended to read as follows:

8 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2012, and ending June 30, 2013, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purpose designated:

14 For maintenance of the healthy and well kids in Iowa (hawk-i)
15 program pursuant to chapter 514I, including supplemental dental
16 services, for receipt of federal financial participation under
17 Tit. XXI of the federal Social Security Act, which creates the
18 children's health insurance program:

19 \$ ~~16,403,051~~
20 40,400,160

21 2. Of the funds appropriated in this section, ~~\$64,475~~
22 \$128,950 is allocated for continuation of the contract for
23 outreach with the department of public health.

24 Sec. 20. 2011 Iowa Acts, chapter 129, section 126, is
25 amended to read as follows:

26 SEC. 126. CHILD CARE ASSISTANCE. There is appropriated
27 from the general fund of the state to the department of human
28 services for the fiscal year beginning July 1, 2012, and ending
29 June 30, 2013, the following amount, or so much thereof as is
30 necessary, to be used for the purpose designated:

31 For child care programs:

32 \$ ~~26,618,831~~
33 61,087,940

34 1. Of the funds appropriated in this section, ~~\$25,948,041~~
35 \$59,718,513 shall be used for state child care assistance in



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1 accordance with section 237A.13.

2 2. Nothing in this section shall be construed or is
3 intended as or shall imply a grant of entitlement for services
4 to persons who are eligible for assistance due to an income
5 level consistent with the waiting list requirements of section
6 237A.13. Any state obligation to provide services pursuant to
7 this section is limited to the extent of the funds appropriated
8 in this section.

9 3. Of the funds appropriated in this section, ~~\$216,226~~
10 \$432,453 is allocated for the statewide program for child care
11 resource and referral services under section 237A.26. A list
12 of the registered and licensed child care facilities operating
13 in the area served by a child care resource and referral
14 service shall be made available to the families receiving state
15 child care assistance in that area.

16 4. Of the funds appropriated in this section, ~~\$468,487~~
17 \$936,974 is allocated for child care quality improvement
18 initiatives including but not limited to the voluntary quality
19 rating system in accordance with section 237A.30.

20 5. The department may use any of the funds appropriated
21 in this section as a match to obtain federal funds for use in
22 expanding child care assistance and related programs. For
23 the purpose of expenditures of state and federal child care
24 funding, funds shall be considered obligated at the time
25 expenditures are projected or are allocated to the department's
26 service areas. Projections shall be based on current and
27 projected caseload growth, current and projected provider
28 rates, staffing requirements for eligibility determination
29 and management of program requirements including data systems
30 management, staffing requirements for administration of the
31 program, contractual and grant obligations and any transfers
32 to other state agencies, and obligations for decategorization
33 or innovation projects.

34 6. A portion of the state match for the federal child care
35 and development block grant shall be provided as necessary to



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1 meet federal matching funds requirements through the state
2 general fund appropriation made for child development grants
3 and other programs for at-risk children in section 279.51.
4 7. If a uniform reduction ordered by the governor under
5 section 8.31 or other operation of law, transfer, or federal
6 funding reduction reduces the appropriation made in this
7 section for the fiscal year, the percentage reduction in the
8 amount paid out to or on behalf of the families participating
9 in the state child care assistance program shall be equal to or
10 less than the percentage reduction made for any other purpose
11 payable from the appropriation made in this section and the
12 federal funding relating to it. The percentage reduction to
13 the other allocations made in this section shall be the same as
14 the uniform reduction ordered by the governor or the percentage
15 change of the federal funding reduction, as applicable.
16 If there is an unanticipated increase in federal funding
17 provided for state child care assistance, the entire amount
18 of the increase shall be used for state child care assistance
19 payments. If the appropriations made for purposes of the
20 state child care assistance program for the fiscal year are
21 determined to be insufficient, it is the intent of the general
22 assembly to appropriate sufficient funding for the fiscal year
23 in order to avoid establishment of waiting list requirements.
24 8. Notwithstanding section 8.33, moneys ~~appropriated~~
25 ~~in this section or~~ advanced for purposes of the programs
26 developed by early childhood Iowa areas, advanced for purposes
27 of wraparound child care, or received from the federal
28 appropriations made for the purposes of this section that
29 remain unencumbered or unobligated at the close of the fiscal
30 year shall not revert to any fund but shall remain available
31 for expenditure for the purposes designated until the close of
32 the succeeding fiscal year.
33 Sec. 21. 2011 Iowa Acts, chapter 129, section 127, is
34 amended to read as follows:
35 SEC. 127. JUVENILE INSTITUTIONS. There is appropriated



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1 from the general fund of the state to the department of human
2 services for the fiscal year beginning July 1, 2012, and ending
3 June 30, 2013, the following amounts, or so much thereof as is
4 necessary, to be used for the purposes designated:

5 1. For operation of the Iowa juvenile home at Toledo and for
6 salaries, support, maintenance, and miscellaneous purposes, and
7 for not more than the following full-time equivalent positions:

8 \$ ~~4,129,125~~
9 8,328,264
10 FTEs 114.00

11 2. For operation of the state training school at Eldora and
12 for salaries, support, maintenance, and miscellaneous purposes,
13 and for not more than the following full-time equivalent
14 positions:

15 \$ ~~5,319,338~~
16 10,740,988
17 FTEs 164.30

18 Of the funds appropriated in this subsection, ~~\$45,575~~
19 \$91,150 shall be used for distribution to licensed classroom
20 teachers at this and other institutions under the control of
21 the department of human services based upon the average student
22 yearly enrollment at each institution as determined by the
23 department.

24 3. A portion of the moneys appropriated in this section
25 shall be used by the state training school and by the Iowa
26 juvenile home for grants for adolescent pregnancy prevention
27 activities at the institutions in the fiscal year beginning
28 July 1, 2012.

29 Sec. 22. 2011 Iowa Acts, chapter 129, section 128, is
30 amended to read as follows:

31 SEC. 128. CHILD AND FAMILY SERVICES.

32 1. There is appropriated from the general fund of the
33 state to the department of human services for the fiscal year
34 beginning July 1, 2012, and ending June 30, 2013, the following
35 amount, or so much thereof as is necessary, to be used for the

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1 purpose designated:

2 For child and family services:

3 \$ ~~41,415,081~~
4 83,669,130

5 2. In order to address a reduction of \$5,200,000 from the
6 amount allocated under the appropriation made for the purposes
7 of this section in prior years for purposes of juvenile
8 delinquent graduated sanction services, up to ~~\$2,600,000~~
9 \$5,200,000 of the amount of federal temporary assistance
10 for needy families block grant funding appropriated in this
11 division of this Act for child and family services shall be
12 made available for purposes of juvenile delinquent graduated
13 sanction services.

14 3. The department may transfer funds appropriated in this
15 section as necessary to pay the nonfederal costs of services
16 reimbursed under the medical assistance program, state child
17 care assistance program, or the family investment program which
18 are provided to children who would otherwise receive services
19 paid under the appropriation in this section. The department
20 may transfer funds appropriated in this section to the
21 appropriations made in this division of this Act for general
22 administration and for field operations for resources necessary
23 to implement and operate the services funded in this section.

24 4. a. Of the funds appropriated in this section, up
25 to ~~\$15,084,564~~ \$31,372,177 is allocated as the statewide
26 expenditure target under section 232.143 for group foster care
27 maintenance and services. If the department projects that such
28 expenditures for the fiscal year will be less than the target
29 amount allocated in this lettered paragraph, the department may
30 reallocate the excess to provide additional funding for shelter
31 care or the child welfare emergency services addressed with the
32 allocation for shelter care.

33 b. If at any time after September 30, 2012, annualization
34 of a service area's current expenditures indicates a service
35 area is at risk of exceeding its group foster care expenditure

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1 target under section 232.143 by more than 5 percent, the
2 department and juvenile court services shall examine all
3 group foster care placements in that service area in order to
4 identify those which might be appropriate for termination.
5 In addition, any aftercare services believed to be needed
6 for the children whose placements may be terminated shall be
7 identified. The department and juvenile court services shall
8 initiate action to set dispositional review hearings for the
9 placements identified. In such a dispositional review hearing,
10 the juvenile court shall determine whether needed aftercare
11 services are available and whether termination of the placement
12 is in the best interest of the child and the community.

13 5. In accordance with the provisions of section 232.188,
14 the department shall continue the child welfare and juvenile
15 justice funding initiative during fiscal year 2012-2013. Of
16 the funds appropriated in this section, ~~\$858,876~~ \$1,717,753
17 is allocated specifically for expenditure for fiscal year
18 2012-2013 through the decategorization service funding pools
19 and governance boards established pursuant to section 232.188.

20 6. A portion of the funds appropriated in this section
21 may be used for emergency family assistance to provide other
22 resources required for a family participating in a family
23 preservation or reunification project or successor project to
24 stay together or to be reunified.

25 7. Notwithstanding section 234.35 or any other provision
26 of law to the contrary, state funding for shelter care and
27 the child welfare emergency services contracting implemented
28 to provide for or prevent the need for shelter care shall be
29 limited to ~~\$3,585,058~~ \$7,370,116. The department may continue
30 or execute contracts that result from the department's request
31 for proposal, bid number ACFS-11-114, to provide the range of
32 child welfare emergency services described in the request for
33 proposals, and any subsequent amendments to the request for
34 proposals.

35 8. Federal funds received by the state during the fiscal

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1 year beginning July 1, 2012, as the result of the expenditure
2 of state funds appropriated during a previous state fiscal
3 year for a service or activity funded under this section are
4 appropriated to the department to be used as additional funding
5 for services and purposes provided for under this section.
6 Notwithstanding section 8.33, moneys received in accordance
7 with this subsection that remain unencumbered or unobligated at
8 the close of the fiscal year shall not revert to any fund but
9 shall remain available for the purposes designated until the
10 close of the succeeding fiscal year.

11 ~~9. Of the funds appropriated in this section, at least~~
12 ~~\$1,848,142 shall be used for protective child care assistance.~~

13 10. a. Of the funds appropriated in this section, up to
14 ~~\$1,031,244~~ \$2,062,488 is allocated for the payment of the
15 expenses of court-ordered services provided to juveniles who
16 are under the supervision of juvenile court services, which
17 expenses are a charge upon the state pursuant to section
18 232.141, subsection 4. Of the amount allocated in this
19 lettered paragraph, up to ~~\$778,143~~ \$1,556,287 shall be made
20 available to provide school-based supervision of children
21 adjudicated under chapter 232, of which not more than ~~\$7,500~~
22 \$15,000 may be used for the purpose of training. A portion of
23 the cost of each school-based liaison officer shall be paid by
24 the school district or other funding source as approved by the
25 chief juvenile court officer.

26 b. Of the funds appropriated in this section, up to ~~\$374,492~~
27 \$748,985 is allocated for the payment of the expenses of
28 court-ordered services provided to children who are under the
29 supervision of the department, which expenses are a charge upon
30 the state pursuant to section 232.141, subsection 4.

31 c. Notwithstanding section 232.141 or any other provision
32 of law to the contrary, the amounts allocated in this
33 subsection shall be distributed to the judicial districts
34 as determined by the state court administrator and to the
35 department's service areas as determined by the administrator

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1 of the department's division of child and family services. The
2 state court administrator and the division administrator shall
3 make the determination of the distribution amounts on or before
4 June 15, 2012.

5 d. Notwithstanding chapter 232 or any other provision of
6 law to the contrary, a district or juvenile court shall not
7 order any service which is a charge upon the state pursuant
8 to section 232.141 if there are insufficient court-ordered
9 services funds available in the district court or departmental
10 service area distribution amounts to pay for the service. The
11 chief juvenile court officer and the departmental service area
12 manager shall encourage use of the funds allocated in this
13 subsection such that there are sufficient funds to pay for
14 all court-related services during the entire year. The chief
15 juvenile court officers and departmental service area managers
16 shall attempt to anticipate potential surpluses and shortfalls
17 in the distribution amounts and shall cooperatively request the
18 state court administrator or division administrator to transfer
19 funds between the judicial districts' or departmental service
20 areas' distribution amounts as prudent.

21 e. Notwithstanding any provision of law to the contrary,
22 a district or juvenile court shall not order a county to pay
23 for any service provided to a juvenile pursuant to an order
24 entered under chapter 232 which is a charge upon the state
25 under section 232.141, subsection 4.

26 f. Of the funds allocated in this subsection, not more
27 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
28 administration of the requirements under this subsection.

29 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
30 shall be used by the department of human services to support
31 the interstate commission for juveniles in accordance with
32 the interstate compact for juveniles as provided in section
33 232.173.

34 11. Of the funds appropriated in this section, ~~\$2,961,301~~
35 \$6,222,602 is allocated for juvenile delinquent graduated

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1 sanctions services. Any state funds saved as a result of
2 efforts by juvenile court services to earn federal Tit. IV-E
3 match for juvenile court services administration may be used
4 for the juvenile delinquent graduated sanctions services.

5 12. Of the funds appropriated in this section, ~~\$494,142~~
6 \$2,238,285 shall be transferred to the department of public
7 health to be used for the child protection center grant program
8 in accordance with section 135.118. Of the amount allocated in
9 this subsection, \$250,000 shall be used for a center for the
10 Black Hawk county area.

11 13. If the department receives federal approval to
12 implement a waiver under Tit. IV-E of the federal Social
13 Security Act to enable providers to serve children who remain
14 in the children's families and communities, for purposes of
15 eligibility under the medical assistance program, children who
16 participate in the waiver shall be considered to be placed in
17 foster care.

18 14. Of the funds appropriated in this section, ~~\$1,534,916~~
19 \$3,092,375 is allocated for the preparation for adult living
20 program pursuant to section 234.46.

21 15. Of the funds appropriated in this section, ~~\$260,075~~
22 \$520,150 shall be used for juvenile drug courts. The amount
23 allocated in this subsection shall be distributed as follows:

24 To the judicial branch for salaries to assist with the
25 operation of juvenile drug court programs operated in the
26 following jurisdictions:

27 a. Marshall county:

28 \$ 31,354
29 62,708

30 b. Woodbury county:

31 \$ 62,841
32 125,682

33 c. Polk county:

34 \$ 97,946
35 195,892

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d. The third judicial district:

.....	\$	33,967
		67,934

4	e. The eighth judicial district:	
5	.....	\$ 33,967
6		67,934

7 16. Of the funds appropriated in this section, ~~\$113,668~~
8 \$227,337 shall be used for the public purpose of ~~providing~~
9 continuing a grant to a nonprofit human services organization
10 providing services to individuals and families in multiple
11 locations in southwest Iowa and Nebraska for support of a
12 project providing immediate, sensitive support and forensic
13 interviews, medical exams, needs assessments, and referrals for
14 victims of child abuse and their nonoffending family members.

15 17. Of the funds appropriated in this section, ~~\$62,795~~
16 \$200,590 is allocated for the ~~elevate~~ foster care youth council
17 approach of providing a support network to children placed in
18 foster care.

19 18. Of the funds appropriated in this section, ~~\$101,000~~
20 \$202,000 is allocated for use pursuant to section 235A.1 for
21 continuation of the initiative to address child sexual abuse
22 implemented pursuant to 2007 Iowa Acts, chapter 218, section
23 18, subsection 21.

24 19. Of the funds appropriated in this section, ~~\$315,120~~
25 \$630,240 is allocated for the community partnership for child
26 protection sites.

27 20. Of the funds appropriated in this section, \$185,625
28 \$371,250 is allocated for the department's minority youth and
29 family projects under the redesign of the child welfare system.

21. Of the funds appropriated in this section, ~~\$600,247~~
~~\$1,436,595~~ is allocated for funding of the ~~state match for~~
community circle of care collaboration for children and
youth in northeast Iowa, formerly referred to as the federal
substance abuse and mental health services administration
(SAMHSA) system of care grant.



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1 22. Of the funds appropriated in this section, at least
2 ~~\$73,579~~ \$147,158 shall be used for the child welfare training
3 academy.

4 23. Of the funds appropriated in this section, ~~\$12,500~~
5 \$25,000 shall be used for the public purpose of continuation
6 of a grant to a child welfare services provider headquartered
7 in a county with a population between 205,000 and 215,000 in
8 the latest certified federal census that provides multiple
9 services including but not limited to a psychiatric medical
10 institution for children, shelter, residential treatment, after
11 school programs, school-based programming, and an Asperger's
12 syndrome program, to be used for support services for children
13 with autism spectrum disorder and their families.

14 23A. Of the funds appropriated in this section, \$25,000
15 shall be used for the public purpose of providing a grant to
16 a hospital-based provider headquartered in a county with a
17 population between 90,000 and 95,000 in the latest certified
18 federal census that provides multiple services including
19 but not limited to diagnostic, therapeutic, and behavioral
20 services to individuals with autism spectrum disorder across
21 the lifespan. The grant recipient shall utilize the funds to
22 implement a pilot project to determine the necessary support
23 services for children with autism spectrum disorder and
24 their families to be included in the children's disabilities
25 services system. The grant recipient shall submit findings and
26 recommendations based upon the results of the pilot project
27 to the individuals specified in this division of this Act for
28 submission of reports by December 31, 2012.

29 24. Of the funds appropriated in this section ~~\$125,000~~
30 \$327,947 shall be used for continuation of the central Iowa
31 system of care program grant through June 30, 2013.

32 25. Of the funds appropriated in this section, ~~\$80,000~~
33 \$160,000 shall be used for the public purpose of the
34 continuation of a system of care grant implemented in Cerro
35 Gordo and Linn counties in accordance with this Act in FY



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1 2011-2012.

2 Sec. 23. 2011 Iowa Acts, chapter 129, section 129, is
3 amended to read as follows:

4 SEC. 129. ADOPTION SUBSIDY.

5 1. There is appropriated from the general fund of the
6 state to the department of human services for the fiscal year
7 beginning July 1, 2012, and ending June 30, 2013, the following
8 amount, or so much thereof as is necessary, to be used for the
9 purpose designated:

10 For adoption subsidy payments and services:

11 \$ ~~16,633,295~~
12 33,238,897

13 2. The department may transfer funds appropriated in
14 this section to the appropriation made in this division of
15 this Act for general administration for costs paid from the
16 appropriation relating to adoption subsidy.

17 3. Federal funds received by the state during the
18 fiscal year beginning July 1, 2012, as the result of the
19 expenditure of state funds during a previous state fiscal
20 year for a service or activity funded under this section are
21 appropriated to the department to be used as additional funding
22 for the services and activities funded under this section.
23 Notwithstanding section 8.33, moneys received in accordance
24 with this subsection that remain unencumbered or unobligated
25 at the close of the fiscal year shall not revert to any fund
26 but shall remain available for expenditure for the purposes
27 designated until the close of the succeeding fiscal year.

28 Sec. 24. 2011 Iowa Acts, chapter 129, section 131, is
29 amended to read as follows:

30 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

31 1. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 2012, and ending June 30, 2013, the following
34 amount, or so much thereof as is necessary, to be used for the
35 purpose designated:

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1 For the family support subsidy program subject to the
2 enrollment restrictions in section 225C.37, subsection 3:
3 \$ 583,999
4 1,096,784

5 2. The department shall use at least ~~\$192,750~~ \$385,500
6 of the moneys appropriated in this section for the family
7 support center component of the comprehensive family support
8 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
9 of the amount allocated in this subsection shall be used for
10 administrative costs.

11 3. If at any time during the fiscal year, the amount of
12 funding available for the family support subsidy program
13 is reduced from the amount initially used to establish the
14 figure for the number of family members for whom a subsidy
15 is to be provided at any one time during the fiscal year,
16 notwithstanding section 225C.38, subsection 2, the department
17 shall revise the figure as necessary to conform to the amount
18 of funding available.

19 Sec. 25. 2011 Iowa Acts, chapter 129, section 132, is
20 amended to read as follows:

21 SEC. 132. CONNER DECREE. There is appropriated from the
22 general fund of the state to the department of human services
23 for the fiscal year beginning July 1, 2012, and ending June 30,
24 2013, the following amount, or so much thereof as is necessary,
25 to be used for the purpose designated:

26 For building community capacity through the coordination
27 and provision of training opportunities in accordance with the
28 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
29 Iowa, July 14, 1994):

30 \$ ~~16,811~~
31 33,622

32 Sec. 26. 2011 Iowa Acts, chapter 129, section 133, is
33 amended to read as follows:

34 SEC. 133. MENTAL HEALTH INSTITUTES. There is appropriated
35 from the general fund of the state to the department of human

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1 services for the fiscal year beginning July 1, 2012, and ending
2 June 30, 2013, the following amounts, or so much thereof as is
3 necessary, to be used for the purposes designated:

4 1. For the state mental health institute at Cherokee for
5 salaries, support, maintenance, and miscellaneous purposes, and
6 for not more than the following full-time equivalent positions:

7 \$ ~~2,938,654~~
8 5,641,037
9 FTEs 168.50

10 2. For the state mental health institute at Clarinda for
11 salaries, support, maintenance, and miscellaneous purposes, and
12 for not more than the following full-time equivalent positions:

13 \$ ~~3,205,867~~
14 6,463,337
15 FTEs 86.10

16 3. For the state mental health institute at Independence for
17 salaries, support, maintenance, and miscellaneous purposes, and
18 for not more than the following full-time equivalent positions:

19 \$ ~~5,137,842~~
20 9,804,212
21 FTEs 233.00

22 4. For the state mental health institute at Mount Pleasant
23 for salaries, support, maintenance, and miscellaneous purposes,
24 and for not more than the following full-time equivalent
25 positions:

26 \$ ~~472,161~~
27 944,323
28 FTEs 97.72

29 Sec. 27. 2011 Iowa Acts, chapter 129, section 134, is
30 amended to read as follows:

31 SEC. 134. STATE RESOURCE CENTERS.

32 1. There is appropriated from the general fund of the
33 state to the department of human services for the fiscal year
34 beginning July 1, 2012, and ending June 30, 2013, the following
35 amounts, or so much thereof as is necessary, to be used for the

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1 purposes designated:

2 a. For the state resource center at Glenwood for salaries,
3 support, maintenance, and miscellaneous purposes:

4 \$ ~~9,253,900~~
5 19,092,576

6 b. For the state resource center at Woodward for salaries,
7 support, maintenance, and miscellaneous purposes:

8 \$ ~~6,392,829~~
9 13,176,093

10 2. The department may continue to bill for state resource
11 center services utilizing a scope of services approach used for
12 private providers of ICFMR services, in a manner which does not
13 shift costs between the medical assistance program, counties,
14 or other sources of funding for the state resource centers.

15 3. The state resource centers may expand the time-limited
16 assessment and respite services during the fiscal year.

17 4. If the department's administration and the department
18 of management concur with a finding by a state resource
19 center's superintendent that projected revenues can reasonably
20 be expected to pay the salary and support costs for a new
21 employee position, or that such costs for adding a particular
22 number of new positions for the fiscal year would be less
23 than the overtime costs if new positions would not be added,
24 the superintendent may add the new position or positions. If
25 the vacant positions available to a resource center do not
26 include the position classification desired to be filled, the
27 state resource center's superintendent may reclassify any
28 vacant position as necessary to fill the desired position. The
29 superintendents of the state resource centers may, by mutual
30 agreement, pool vacant positions and position classifications
31 during the course of the fiscal year in order to assist one
32 another in filling necessary positions.

33 5. If existing capacity limitations are reached in
34 operating units, a waiting list is in effect for a service or
35 a special need for which a payment source or other funding



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1 is available for the service or to address the special need,
2 and facilities for the service or to address the special need
3 can be provided within the available payment source or other
4 funding, the superintendent of a state resource center may
5 authorize opening not more than two units or other facilities
6 and begin implementing the service or addressing the special
7 need during fiscal year 2012-2013.

8 Sec. 28. 2011 Iowa Acts, chapter 129, section 135, is
9 amended to read as follows:

10 SEC. 135. MI/MR/DD STATE CASES.

11 1. There is appropriated from the general fund of the
12 state to the department of human services for the fiscal year
13 beginning July 1, 2012, and ending June 30, 2013, the following
14 amount, or so much thereof as is necessary, to be used for the
15 purpose designated:

16 For distribution to counties for state case services
17 for persons with mental illness, mental retardation, and
18 developmental disabilities in accordance with section 331.440:
19 \$ ~~6,084,741~~
20 12,169,482

21 2. For the fiscal year beginning July 1, 2012, and ending
22 June 30, 2013, ~~\$100,000~~ \$200,000 is allocated for state case
23 services from the amounts appropriated from the fund created
24 in section 8.41 to the department of human services from the
25 funds received from the federal government under 42 U.S.C. ch.
26 6A, subch. XVII, relating to the community mental health center
27 block grant, for the federal fiscal years beginning October
28 1, 2010, and ending September 30, 2011, beginning October 1,
29 2011, and ending September 30, 2012, and beginning October 1,
30 2012, and ending September 30, 2013. The allocation made in
31 this subsection shall be made prior to any other distribution
32 allocation of the appropriated federal funds.

33 3. Notwithstanding section 8.33, moneys appropriated in
34 this section that remain unencumbered or unobligated at the
35 close of the fiscal year shall not revert but shall remain



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1 available for expenditure for the purposes designated until the
2 close of the succeeding fiscal year.

3 Sec. 29. 2011 Iowa Acts, chapter 129, section 137, is
4 amended to read as follows:

5 SEC. 137. SEXUALLY VIOLENT PREDATORS.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2012, and ending June 30, 2013, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For costs associated with the commitment and treatment of
12 sexually violent predators in the unit located at the state
13 mental health institute at Cherokee, including costs of legal
14 services and other associated costs, including salaries,
15 support, maintenance, and miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17	\$	3,775,363
18		<u>9,113,668</u>
19	FTEs	89.50
20		<u>95.90</u>

21 2. Unless specifically prohibited by law, if the amount
22 charged provides for recoupment of at least the entire amount
23 of direct and indirect costs, the department of human services
24 may contract with other states to provide care and treatment
25 of persons placed by the other states at the unit for sexually
26 violent predators at Cherokee. The moneys received under
27 such a contract shall be considered to be repayment receipts
28 and used for the purposes of the appropriation made in this
29 section.

30 Sec. 30. 2011 Iowa Acts, chapter 129, section 138, is
31 amended to read as follows:

32 SEC. 138. FIELD OPERATIONS. There is appropriated from the
33 general fund of the state to the department of human services
34 for the fiscal year beginning July 1, 2012, and ending June 30,
35 2013, the following amount, or so much thereof as is necessary,

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1 to be used for the purposes designated:

2 For field operations, including salaries, support,
3 maintenance, and miscellaneous purposes, and for not more than
4 the following full-time equivalent positions:

5	\$	27,394,960
6		<u>61,915,440</u>
7	FTEs	1,781.00

8 Priority in filling full-time equivalent positions shall be
9 given to those positions related to child protection services
10 and eligibility determination for low-income families.

11 Notwithstanding section 8.33, moneys appropriated in this
12 section that remain unencumbered or unobligated at the close of
13 the fiscal year shall not revert but shall remain available for
14 expenditure for the purposes designated until the close of the
15 succeeding fiscal year.

16 Sec. 31. 2011 Iowa Acts, chapter 129, section 139, is
17 amended to read as follows:

18 SEC. 139. GENERAL ADMINISTRATION. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2012, and ending
21 June 30, 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For general administration, including salaries, support,
24 maintenance, and miscellaneous purposes, and for not more than
25 the following full-time equivalent positions:

26	\$	7,298,372
27		<u>15,841,874</u>
28	FTEs	285.00

29 1. Of the funds appropriated in this section, ~~\$19,271~~
30 \$38,543 allocated for the prevention of disabilities policy
31 council established in section 225B.3.

32 2. The department shall report at least monthly to the
33 legislative services agency concerning the department's
34 operational and program expenditures.

35 3. Of the funds appropriated in this section, ~~\$66,150~~

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1 \$132,300 shall be used to continue the contract for the
2 provision of a program to provide technical assistance,
3 support, and consultation to providers of habilitation services
4 and home and community-based services waiver services for
5 adults with disabilities under the medical assistance program.

6 4. Of the funds appropriated in this section, ~~\$88,200~~
7 \$500,000 shall be used to continue the contract to expand
8 the provision of nationally accredited and recognized
9 internet-based training to include mental health and disability
10 services providers.

11 5. Of the funds appropriated in this section, ~~\$250,000~~
12 \$500,000 shall be used for continuation of child protection
13 system improvements addressed in 2011 Iowa Acts, ~~House File~~
14 ~~562, as enacted~~ chapter 28.

15 6. Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available for expenditure for the purposes designated until the
19 close of the succeeding fiscal year.

20 Sec. 32. 2011 Iowa Acts, chapter 129, section 140, is
21 amended to read as follows:

22 SEC. 140. VOLUNTEERS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2012, and ending June 30,
25 2013, the following amount, or so much thereof as is necessary,
26 to be used for the purpose designated:

27 For development and coordination of volunteer services:

28	\$	42,330
29		<u>84,660</u>

30 PROVIDER REIMBURSEMENT — NURSING FACILITIES

31 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
32 subsection 1, paragraph a, subparagraph (1), is amended to read
33 as follows:

34 (1) For the fiscal year beginning July 1, 2012, the total
35 state funding amount for the nursing facility budget shall not



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1 exceed ~~\$225,457,724~~ \$237,226,901.

2 PROVIDER REIMBURSEMENT — PHARMACY, PMICS, HOME HEALTH
3 AGENCIES, HCBS WAIVER

4 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
5 subsection 1, paragraphs b, f, i, and q, are amended to read as
6 follows:

7 b. (1) For the fiscal year beginning July 1, 2012, the
8 department shall reimburse pharmacy dispensing fees using a
9 single rate of ~~\$4.34~~ \$11.10 per prescription or the pharmacy's
10 usual and customary fee, whichever is lower. ~~However,~~
11 ~~the department shall adjust the dispensing fee specified~~
12 ~~in this paragraph to distribute an additional \$2,981,980~~
13 ~~in reimbursements for pharmacy dispensing fees under this~~
14 ~~paragraph for the fiscal year.~~

15 (2) The department shall implement an average acquisition
16 cost reimbursement methodology for all drugs covered under the
17 medical assistance program. The methodology shall utilize a
18 survey of pharmacy invoices in determining the reimbursement.
19 Pharmacies and providers that are enrolled in the medical
20 assistance program shall make available drug acquisition cost
21 information, product availability information, and other
22 information deemed necessary by the department to assist the
23 department in monitoring and revising reimbursement rates and
24 for efficient operation of the pharmacy benefit.

25 (a) A pharmacy or provider shall produce and submit the
26 requested information in the manner and format requested by the
27 department or its designee at no cost to the department or its
28 designee.

29 (b) A pharmacy or provider shall submit information to the
30 department or its designee within the time frame indicated
31 following receipt of a request for information unless the
32 department or its designee grants an extension upon written
33 request of the pharmacy or provider.

34 f. For the fiscal year beginning July 1, 2012, reimbursement
35 rates for home health agencies shall ~~remain at~~ be increased by



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1 2 percent over the rates in effect on June 30, 2012, not to
2 exceed a home health agency's actual allowable cost.

3 i. (1) For the fiscal year beginning July 1, 2012,
4 state-owned psychiatric medical institutions for children shall
5 receive cost-based reimbursement for 100 percent of the actual
6 and allowable costs for the provision of services to recipients
7 of medical assistance.

8 (2) For the nonstate-owned psychiatric medical institutions
9 for children, reimbursement rates shall be based on the
10 reimbursement methodology developed by the department as
11 required for federal compliance.

12 (3) As a condition of participation in the medical
13 assistance program, enrolled providers shall accept the medical
14 assistance reimbursement rate for any covered goods or services
15 provided to recipients of medical assistance who are children
16 under the custody of a psychiatric medical institution for
17 children.

18 q. For the fiscal year beginning July 1, 2012, the
19 ~~department shall adjust the rates in effect on June 30, 2012,~~
20 reimbursement rates for providers of home and community-based
21 services waiver services ~~to distribute an additional \$1,500,000~~
22 ~~in reimbursements to such providers for the fiscal year shall~~
23 be increased by 2 percent over the rates in effect on June 30,
24 2012.

25 PROVIDER REIMBURSEMENT — FOSTER FAMILY AND GROUP FOSTER CARE

26 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
27 subsections 4 and 6, are amended to read as follows:

28 4. For the fiscal year beginning July 1, 2012,
29 notwithstanding section 234.38, the foster family basic daily
30 maintenance rate and the maximum adoption subsidy rate for
31 children ages 0 through 5 years shall be ~~\$15.74~~ \$16.37, the
32 rate for children ages 6 through 11 years shall be ~~\$16.37~~
33 \$17.02, the rate for children ages 12 through 15 years shall be
34 ~~\$17.92~~ \$18.64, and the rate for children and young adults ages
35 16 and older shall be ~~\$18.16~~ \$18.89. The maximum supervised

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1 apartment living foster care reimbursement rate shall be \$25.00
2 per day. For youth ages 18 to 21 who have exited foster care,
3 the maximum preparation for adult living program maintenance
4 rate shall be \$574.00 per month. The maximum payment for
5 adoption subsidy nonrecurring expenses shall be limited to \$500
6 and the disallowance of additional amounts for court costs and
7 other related legal expenses implemented pursuant to 2010 Iowa
8 Acts, chapter 1031, section 408 shall be continued.

9 6. a. For the fiscal year beginning July 1, 2012, the
10 reimbursement rates for family-centered service providers,
11 family foster care service providers, ~~group foster care service~~
12 ~~providers,~~ and the resource family recruitment and retention
13 contractor shall remain at the rates in effect on June 30,
14 2012.

15 b. For the fiscal year beginning July 1, 2012, the
16 reimbursement rate for group foster care service providers
17 shall be increased by 4 percent over the rate in effect on June
18 30, 2012.

19 PROVIDER REIMBURSEMENT — CHILD CARE

20 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,
21 subsection 10, is amended to read as follows:

22 10. For the fiscal year beginning July 1, 2012, for child
23 care providers reimbursed under the state child care assistance
24 program, the department shall set provider reimbursement
25 rates based on the rate reimbursement survey completed in
26 December 2004. Effective July 1, 2012, the child care provider
27 reimbursement rates shall ~~remain at~~ be increased by 4 percent
28 over the rates in effect on June 30, 2012. The department
29 shall set rates in a manner so as to provide incentives for a
30 nonregistered provider to become registered by applying the
31 increase only to registered and licensed providers.

32 REBASING STUDY — MEDICAID HOME HEALTH AND HCBS WAIVER SERVICE
33 PROVIDERS

34 Sec. 37. 2011 Iowa Acts, chapter 129, section 141, is
35 amended by adding the following new subsection:

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1 NEW SUBSECTION. 10A. The department shall review
2 reimbursement of home health agency and home and
3 community-based services waiver services providers and shall
4 submit a recommendation for a rebasing methodology applicable
5 to such providers for the fiscal year beginning July 1, 2013,
6 and thereafter, to the individuals identified in this division
7 of this Act for receipt of reports.

8 ELDERLY WAIVER

9 Sec. 38. 2011 Iowa Acts, chapter 129, section 141, is
10 amended by adding the following new subsection:

11 NEW SUBSECTION. 10B. The department shall increase the
12 monthly reimbursement cap for the medical assistance home and
13 community-based services waiver for the elderly to \$1,400 per
14 month.

15 REPORTS

16 Sec. 39. 2011 Iowa Acts, chapter 129, section 143, is
17 amended to read as follows:

18 SEC. 143. REPORTS. Any reports or other information
19 required to be compiled and submitted under this Act shall be
20 submitted to the chairpersons and ranking members of the joint
21 appropriations subcommittee on health and human services, the
22 legislative services agency, and the legislative caucus staffs
23 on or before the dates specified for submission of the reports
24 or information.

25 DIVISION V

26 HEALTH CARE ACCOUNTS AND FUNDS

27 PHARMACEUTICAL SETTLEMENT ACCOUNT

28 Sec. 40. 2011 Iowa Acts, chapter 129, section 145, is
29 amended to read as follows:

30 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
31 appropriated from the pharmaceutical settlement account created
32 in section 249A.33 to the department of human services for the
33 fiscal year beginning July 1, 2012, and ending June 30, 2013,
34 the following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

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1 Notwithstanding any provision of law to the contrary, to
2 supplement the appropriations made in this Act for medical
3 contracts under the medical assistance program for the fiscal
4 year beginning July 1, 2012, and ending June 30, 2013:

5 \$ 2,716,807

6 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA HOSPITALS
7 AND CLINICS

8 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
9 subsection 2, unnumbered paragraph 2, is amended to read as
10 follows:

11 For salaries, support, maintenance, equipment, and
12 miscellaneous purposes, for the provision of medical and
13 surgical treatment of indigent patients, for provision of
14 services to members of the expansion population pursuant to
15 chapter 249J, and for medical education:

16 \$ ~~44,226,279~~
17 45,654,133

18 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING HOSPITAL

19 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
20 subsection 4, unnumbered paragraph 2, is amended to read as
21 follows:

22 For distribution to a publicly owned acute care teaching
23 hospital located in a county with a population over 350,000 for
24 the provision of medical and surgical treatment of indigent
25 patients, for provision of services to members of the expansion
26 population pursuant to chapter 249J, and for medical education:

27 \$ ~~65,000,000~~
28 70,000,000

29 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL
30 ALLOCATIONS

31 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
32 subsection 4, paragraphs a and b, are amended to read as
33 follows:

34 a. Notwithstanding any provision of law to the contrary,
35 the amount appropriated in this subsection shall be distributed



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1 based on claims submitted, adjudicated, and paid by the Iowa
2 Medicaid enterprise plus a monthly disproportionate share
3 hospital payment. Any amount appropriated in this subsection
4 in excess of ~~\$60,000,000~~ \$65,000,000 shall be distributed only
5 if the sum of the expansion population claims adjudicated
6 and paid by the Iowa Medicaid enterprise plus the estimated
7 disproportionate share hospital payments exceeds ~~\$60,000,000~~
8 \$65,000,000. The amount paid in excess of ~~\$60,000,000~~
9 \$65,000,000 shall not adjust the original monthly payment
10 amount but shall be distributed monthly based on actual claims
11 adjudicated and paid by the Iowa Medicaid enterprise plus
12 the estimated disproportionate share hospital amount. Any
13 amount appropriated in this subsection in excess of ~~\$60,000,000~~
14 \$65,000,000 shall be allocated only if federal funds are
15 available to match the amount allocated. Pursuant to paragraph
16 "b", of the amount appropriated in this subsection, not more
17 than \$4,000,000 shall be distributed for prescription drugs,
18 and podiatry services, and optometric services.

19 b. Notwithstanding any provision of law to the contrary,
20 the hospital identified in this subsection, shall be reimbursed
21 for outpatient prescription drugs, and podiatry services,
22 and optometric services provided to members of the expansion
23 population pursuant to all applicable medical assistance
24 program rules, in an amount not to exceed \$4,000,000.

25 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

26 Sec. 44. 2011 Iowa Acts, chapter 129, section 146,
27 subsection 5, unnumbered paragraph 2, is amended to read as
28 follows:

29 For payment to the regional provider network specified
30 by the department pursuant to section 249J.7 for provision
31 of covered services to members of the expansion population
32 pursuant to chapter 249J:

33 \$ ~~3,472,176~~
34 4,986,366

35 ACCOUNT FOR HEALTH CARE TRANSFORMATION

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1 Sec. 45. 2011 Iowa Acts, chapter 129, section 148, is
2 amended to read as follows:

3 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
4 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

5 Notwithstanding any provision to the contrary, there is
6 appropriated from the account for health care transformation
7 created in section 249J.23 to the department of human services
8 for the fiscal year beginning July 1, 2012, and ending June
9 30, 2013, the following amounts, or so much thereof as is
10 necessary, to be used for the purposes designated:

11 1. For the provision of an IowaCare nurse helpline for the
12 expansion population as provided in section 249J.6:

13 \$ 50,000
14 100,000

15 2. For other health promotion partnership activities
16 pursuant to section 249J.14:

17 \$ 300,000
18 600,000

19 3. For the costs related to audits, performance
20 evaluations, and studies required pursuant to chapter 249J:

21 \$ 62,500
22 125,000

23 4. For administrative costs associated with chapter 249J:

24 \$ 566,206
25 1,132,412

26 5. For planning and development, in cooperation with the
27 department of public health, of a phased-in program to provide
28 a dental home for children in accordance with section 249J.14:

29 \$ 500,000
30 1,000,000

31 6. For continuation of the establishment of the tuition
32 assistance for individuals serving individuals with
33 disabilities pilot program, as enacted in 2008 Iowa Acts,
34 chapter 1187, section 130:

35 \$ 25,000

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1		<u>50,000</u>
2	7. For medical contracts:	
3	\$ 1,000,000
4		<u>2,400,000</u>
5	8. For payment to the publicly owned acute care teaching	
6	hospital located in a county with a population of over 350,000	
7	that is a participating provider pursuant to chapter 249J:	
8	.....	\$ 145,000
9		<u>290,000</u>
10	Disbursements under this subsection shall be made monthly.	
11	The hospital shall submit a report following the close of the	
12	fiscal year regarding use of the funds appropriated in this	
13	subsection to the persons specified in this Act to receive	
14	reports.	
15	9. For transfer to the department of public health to be	
16	used for the costs of medical home system advisory council	
17	established pursuant to section 135.159:	
18	.....	\$ 116,679
19		<u>233,357</u>
20	10. For continued implementation of a uniform cost report:	
21	.....	\$ 75,000
22		<u>150,000</u>
23	11. For continued implementation of an electronic medical	
24	records system:	
25	.....	\$ 50,000
26		<u>100,000</u>
27	Notwithstanding section 8.33, funds allocated in this	
28	subsection that remain unencumbered or unobligated at the close	
29	of the fiscal year shall not revert but shall remain available	
30	in succeeding fiscal years to be used for the purposes	
31	designated.	
32	12. For transfer to the department of public health to	
33	support the department's activities relating to health and	
34	long-term care access as specified pursuant to chapter 135,	
35	division XXIV:	



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1 \$ 67,107
2 134,214
3 13. For continuation of an accountable care organization
4 pilot project:
5 \$ 50,000
6 100,000
7 14. For the continued development of a provider payment
8 system plan to provide recommendations to reform the health
9 care provider payment system as an effective way to promote
10 coordination of care, lower costs, and improve quality:
11 \$ 100,000
12 15. For transfer to the department of public health to
13 be used as state matching funds for the health information
14 technology system network developed by the department of public
15 health:
16 \$ 181,993
17 363,987
18 16. To supplement the appropriation for medical assistance:
19 \$ 1,956,245
20 Notwithstanding section 8.39, subsection 1, without the
21 prior written consent and approval of the governor and the
22 director of the department of management, the director of human
23 services may transfer funds among the appropriations made in
24 this section as necessary to carry out the purposes of the
25 account for health care transformation. The department shall
26 report any transfers made pursuant to this section to the
27 legislative services agency.
28 MEDICAID FRAUD FUND
29 Sec. 46. 2011 Iowa Acts, chapter 129, section 150, is
30 amended to read as follows:
31 SEC. 150. MEDICAID FRAUD ACCOUNT FUND — DEPARTMENT OF
32 HUMAN SERVICES. There is appropriated from the Medicaid fraud
33 account fund created in section 249A.7 to the department of
34 human services for the fiscal year beginning July 1, 2012, and
35 ending June 30, 2013, the following amount, or so much thereof

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1 as is necessary, to be used for the purposes designated:

2 To supplement the appropriation made in this Act from the
3 general fund of the state to the department of human services
4 for medical assistance for the fiscal year beginning July 1,
5 2012, and ending June 30, 2013:

6 \$ 2,000,000

7 QUALITY ASSURANCE TRUST FUND

8 Sec. 47. 2011 Iowa Acts, chapter 129, section 151, is
9 amended to read as follows:

10 SEC. 151. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
11 HUMAN SERVICES. Notwithstanding any provision to the contrary
12 and subject to the availability of funds, there is appropriated
13 from the quality assurance trust fund created in section
14 249L.4 to the department of human services for the fiscal year
15 beginning July 1, 2012, and ending June 30, 2013, the following
16 amounts, or so much thereof as is necessary for the purposes
17 designated:

18 To supplement the appropriation made in this Act from the
19 general fund of the state to the department of human services
20 for medical assistance:

21 \$ 29,000,000

22 26,500,000

23 HOSPITAL HEALTH CARE ACCESS TRUST FUND

24 Sec. 48. 2011 Iowa Acts, chapter 129, section 152, is
25 amended to read as follows:

26 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
27 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
28 the contrary and subject to the availability of funds, there is
29 appropriated from the hospital health care access trust fund
30 created in section 249M.4 to the department of human services
31 for the fiscal year beginning July 1, 2012, and ending June
32 30, 2013, the following amounts, or so much thereof as is
33 necessary, for the purposes designated:

34 1. To supplement the appropriation made in this Act from the
35 general fund of the state to the department of human services

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1 for medical assistance:

2 \$ ~~39,223,800~~

3 33,898,400

4 2. For deposit in the nonparticipating provider
5 reimbursement fund created in section 249J.24A to be used for
6 the purposes of the fund:

7 \$ ~~776,200~~

8 801,600

9 MISCELLANEOUS PROVISIONS

10 Sec. 49. 2011 Iowa Acts, chapter 129, section 153, is
11 amended to read as follows:

12 SEC. 153. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
13 FOR FY 2012-2013. Notwithstanding section 8.33, if moneys
14 appropriated for purposes of the medical assistance program
15 for the fiscal year beginning July 1, 2012, and ending June
16 30, 2013, from the general fund of the state, the Medicaid
17 fraud account, the quality assurance trust fund, and the
18 hospital health care access trust fund, are in excess of actual
19 expenditures for the medical assistance program and remain
20 unencumbered or unobligated at the close of the fiscal year,
21 the excess moneys shall not revert but shall remain available
22 for expenditure for the purposes of the medical assistance
23 program until the close of the succeeding fiscal year.

24 Sec. 50. REPEAL. 2011 Iowa Acts, chapter 129, section 149,
25 is repealed.

26 DIVISION VI

27 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT

28 CONTINGENCY FUND

29 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD
30 ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS —
31 FY 2011-2012.

32 1. Moneys received from the federal government through
33 the child enrollment contingency fund established pursuant
34 to section 103 of the federal Children's Health Insurance
35 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are

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1 appropriated to the department of human services for the fiscal
2 year beginning July 1, 2011, and ending June 30, 2012, to be
3 used in addition to any other amounts appropriated for the same
4 purposes for the fiscal year as follows:

5 a. For adoption subsidy payments and services:
6 \$ 2,177,355

7 b. For child care programs:
8 \$ 1,212,432

9 2. Notwithstanding section 8.39, and to the extent
10 that funds appropriated in this section are unexpended or
11 unobligated for the purposes specified in subsection 1, the
12 department of human services may transfer funds within or
13 between any of the appropriations made in this section for the
14 following purposes:

15 a. For adoption subsidy payments and services.

16 b. For child care assistance.

17 Sec. 52. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD
18 ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS —
19 FY 2012-2013.

20 1. a. Moneys received from the federal government through
21 the child enrollment contingency fund established pursuant
22 to section 103 of the federal Children's Health Insurance
23 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are
24 appropriated to the department of human services for the fiscal
25 year beginning July 1, 2012, and ending June 30, 2013, to be
26 used in addition to any other amounts appropriated for the same
27 purposes for the fiscal year as follows:

28 (1) For adoption subsidy payments and services:
29 \$ 5,290,441

30 (2) For child care programs:
31 \$ 7,969,021

32 (3) For mental health and disability services redesign
33 technical assistance services:
34 \$ 500,000

35 (4) For the field operations integrity claims unit:

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1 \$ 961,100
2 (5) For medical assistance program reimbursement and
3 associated costs:
4 \$ 4,950,428
5 (6) For lodging expenses associated with patient care
6 provided at the university of Iowa hospital and clinics under
7 chapter 249J:
8 \$ 200,000
9 The department of human services shall establish the maximum
10 number of overnight stays and the maximum rate reimbursed for
11 overnight lodging, which may be based on the state employee
12 rate established by the department of administrative services.
13 The funds allocated under this subparagraph shall not be used
14 as nonfederal share matching funds.
15 (7) For ambulance services associated with patient care
16 provided under chapter 249J:
17 \$ 200,000
18 The department of human services shall establish
19 requirements for use of funds in this subparagraph for
20 ambulance services when no other third-party payment is
21 available. The funds allocated in this subparagraph shall not
22 be used as nonfederal share matching funds.
23 (8) For the public purpose of distribution to a statewide
24 nonprofit organization consisting of low-income housing and
25 homelessness service providers, advocates, local governments,
26 lending institutions, and low-income and homeless individuals
27 to be used to empower low-income individuals and to increase
28 their access to affordable housing:
29 \$ 100,000
30 b. Notwithstanding section 8.39, and to the extent that
31 funds appropriated in this subsection are unexpended or
32 unobligated for the purposes specified in paragraph "a",
33 subparagraphs (1) and (2), for the fiscal year beginning July
34 1, 2012, the department of human services may transfer funds
35 within or between any of the appropriations made in this



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1 subsection for the following purposes:

2 (1) For adoption subsidy payments and services.

3 (2) For child care assistance.

4 2. Moneys received from the federal government through
5 the child enrollment contingency fund established pursuant
6 to section 103 of the federal Children's Health Insurance
7 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are
8 appropriated to the department of human services for the fiscal
9 year beginning July 1, 2012, and ending June 30, 2013, to be
10 used for audit settlements:

11 \$ 2,654,238

12 Notwithstanding section 8.33, moneys appropriated in this
13 subsection that remain unencumbered or unobligated at the close
14 of the fiscal year shall not revert to any other fund but shall
15 remain available for expenditure for the purposes designated
16 until the close of the succeeding fiscal year.

17 Sec. 53. EFFECTIVE DATE PROVISIONS. The section of this
18 division of this Act appropriating moneys received through the
19 federal Child Enrollment Contingency Fund for the fiscal year
20 beginning July 1, 2011, and ending June 30, 2012, being deemed
21 of immediate importance, take effect upon enactment.

22 Sec. 54. RETROACTIVE APPLICABILITY. The section of this
23 division of this Act appropriating moneys received through
24 the federal Child Enrollment Contingency Fund for the fiscal
25 year beginning July 1, 2011, and ending June 30, 2012, applies
26 retroactively to July 1, 2011.

27 DIVISION VII

28 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN

29 Sec. 55. RISK POOL APPROPRIATION FOR MEDICAL ASSISTANCE
30 PROGRAM. All moneys remaining in the risk pool of the property
31 tax relief fund on June 30, 2012, following the distributions
32 made pursuant to 2012 Iowa Acts, Senate File 2071, are
33 appropriated to the department of human services for the fiscal
34 year beginning July 1, 2012, and ending June 30, 2013, to be
35 used for the purpose designated:

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1 To be credited to the appropriation made for the medical
2 assistance program in 2011 Iowa Acts, chapter 129, section 122.

3 Sec. 56. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN.

4 There is appropriated from the general fund of the state to
5 the department of human services for the fiscal year beginning
6 July 1, 2012, and ending June 30, 2013, the following amount,
7 or so much thereof as is necessary, to be used for the purposes
8 designated:

9 To be used as provided in additional enactments by the
10 Eighty-fourth General Assembly, 2012 Session, for redesign of
11 county-based adult mental health and disability services:
12 \$ 24,893,762

13 DIVISION VIII

14 PRIOR APPROPRIATIONS AND RELATED CHANGES

15 INJURED VETERANS GRANT PROGRAM

16 Sec. 57. 2008 Iowa Acts, chapter 1187, section 69,
17 unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter
18 182, section 83, 2010 Iowa Acts, chapter 1192, section 56, and
19 2011 Iowa Acts, chapter 129, section 53, is amended to read as
20 follows:

21 Notwithstanding section 8.33, moneys appropriated in this
22 subsection that remain unencumbered or unobligated at the close
23 of the fiscal year shall not revert but shall remain available
24 for expenditure for the purposes designated until the close of
25 the fiscal year beginning July 1, ~~2011~~ 2012.

26 CHILD WELFARE DECATEGORIZATION

27 FY 2009-2010 NONREVERSION

28 Sec. 58. 2009 Iowa Acts, chapter 182, section 14, subsection
29 5, unnumbered paragraph 2, as enacted by 2011 Iowa Acts,
30 chapter 129, section 55, is amended to read as follows:

31 Notwithstanding section 232.188, subsection 5, moneys from
32 the allocations made in this subsection or made from any other
33 source for the decategorization of child welfare and juvenile
34 justice funding initiative under section 232.188 for the fiscal
35 year beginning July 1, 2009, that are designated as carryover

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1 funding that remain unencumbered or unobligated at the close
2 of the fiscal year beginning July 1, 2010, shall not revert
3 but shall be transferred ~~to~~ in equal amounts to the community
4 housing and services for persons with disabilities revolving
5 loan program fund created in section 16.185, as enacted by
6 this division of this 2011 Act and to the supportive and
7 residential services for individuals who meet the psychiatric
8 medical institution for children level of care competitive
9 grant program fund created in section 16.185A, as enacted by
10 this 2012 Act.

11 IOWA VETERANS HOME

12 Sec. 59. 2011 Iowa Acts, chapter 129, section 3, subsection
13 2, is amended by adding the following new paragraph:

14 NEW PARAGRAPH. d. The funds appropriated in this subsection
15 to the Iowa veterans home that remain available for expenditure
16 for the succeeding fiscal year pursuant to section 35D.18,
17 subsection 5, shall be distributed to be used in the succeeding
18 fiscal year in accordance with this lettered paragraph. The
19 first \$500,000 shall remain available to be used for the
20 purposes of the Iowa veterans home. Any remaining balance
21 shall be credited to the appropriation in this Act for the
22 fiscal year beginning July 1, 2012, for medical assistance.

23 FAMILY INVESTMENT PROGRAM — GENERAL FUND

24 Sec. 60. 2011 Iowa Acts, chapter 129, section 7, is amended
25 by adding the following new subsection:

26 NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys
27 appropriated in this section that remain unencumbered or
28 unobligated at the close of the fiscal year shall not revert
29 but shall remain available for expenditure for the purposes
30 designated until the close of the succeeding fiscal year.

31 MEDICAL ASSISTANCE

32 Sec. 61. 2011 Iowa Acts, chapter 129, section 10, subsection
33 20, paragraph d, is amended to read as follows:

34 d. If the savings to the medical assistance program exceed
35 the cost, the department may transfer any savings generated

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1 for the fiscal year due to medical assistance program cost
2 containment efforts initiated pursuant to 2010 Iowa Acts,
3 chapter 1031, Executive Order No. 20, issued December 16,
4 2009, or cost containment strategies initiated pursuant
5 to this subsection, to the ~~appropriation~~ appropriations
6 made in this division of this Act for medical contracts or
7 general administration to defray the increased contract costs
8 associated with implementing such efforts.

9 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL ASSISTANCE

10 Sec. 62. 2011 Iowa Acts, chapter 129, section 10, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa Acts,
13 chapter 182, section 9, subsection 16, paragraph “b”, as
14 amended by 2010 Iowa Acts, chapter 1192, section 63, as amended
15 by 2011 Iowa Acts, chapter 129, section 54, funds in the
16 account that remain unencumbered or unobligated at the end of
17 the fiscal year beginning July 1, 2011, are appropriated to
18 the department of human services to be used for the medical
19 assistance program for the succeeding fiscal year.

20 STATE SUPPLEMENTARY ASSISTANCE

21 Sec. 63. 2011 Iowa Acts, chapter 129, section 11, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
24 appropriated in this section that remain unencumbered or
25 unobligated at the close of the fiscal year shall not revert
26 but shall remain available for expenditure for the purposes
27 designated until the close of the succeeding fiscal year.

28 FIELD OPERATIONS

29 Sec. 64. 2011 Iowa Acts, chapter 129, section 25, is amended
30 by adding the following new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
32 moneys appropriated in this section that remain unencumbered or
33 unobligated at the close of the fiscal year shall not revert
34 but shall remain available for expenditure for the purposes
35 designated until the close of the succeeding fiscal year.

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1 GENERAL ADMINISTRATION

2 Sec. 65. 2011 Iowa Acts, chapter 129, section 26, is amended
3 by adding the following new subsection:

4 NEW SUBSECTION. 6. Notwithstanding section 8.33, moneys
5 appropriated in this section that remain unencumbered or
6 unobligated at the close of the fiscal year shall not revert
7 but shall remain available for expenditure for the purposes
8 designated until the close of the succeeding fiscal year.

9 IOWACARE DISTRIBUTIONS

10 Sec. 66. 2011 Iowa Acts, chapter 129, section 35, subsection
11 4, paragraph a, is amended to read as follows:

12 a. Notwithstanding any provision of law to the contrary,
13 the amount appropriated in this subsection shall be distributed
14 based on claims submitted, adjudicated, and paid by the Iowa
15 Medicaid enterprise plus a monthly disproportionate share
16 hospital payment. Any amount appropriated in this subsection
17 in excess of ~~\$60,000,000~~ \$56,500,000 shall be distributed only
18 if the sum of the expansion population claims adjudicated
19 and paid by the Iowa Medicaid enterprise plus the estimated
20 disproportionate share hospital payments exceeds ~~\$60,000,000~~
21 \$56,500,000. The amount paid in excess of ~~\$60,000,000~~
22 \$56,500,000 shall not adjust the original monthly payment
23 amount but shall be distributed monthly based on actual claims
24 adjudicated and paid by the Iowa Medicaid enterprise plus
25 the estimated disproportionate share hospital amount. Any
26 amount appropriated in this subsection in excess of ~~\$60,000,000~~
27 \$56,500,000 shall be allocated only if federal funds are
28 available to match the amount allocated. Pursuant to paragraph
29 "b", of the amount appropriated in this subsection, not more
30 than \$4,000,000 shall be distributed for prescription drugs and
31 podiatry services.

32 Sec. 67. 2011 Iowa Acts, chapter 129, section 35, subsection
33 4, paragraph d, subparagraph (2), is amended to read as
34 follows:

35 (2) Notwithstanding the amount collected and distributed

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1 for deposit in the IowaCare account pursuant to section
2 249J.24, subsection 4, paragraph "a", subparagraph (2),
3 the first \$19,000,000 in collections pursuant to section
4 347.7 between January 1, 2012, and June 30, 2012, shall be
5 distributed to the treasurer of state for deposit in the
6 IowaCare account and collections during this time period in
7 excess of \$19,000,000 shall be distributed to the acute care
8 teaching hospital identified in this subsection. ~~Of the~~
9 ~~collections in excess of the \$19,000,000 received by the acute~~
10 ~~care teaching hospital under this subparagraph (2), \$2,000,000~~
11 ~~shall be distributed by the acute care teaching hospital to the~~
12 ~~treasurer of state for deposit in the IowaCare account in the~~
13 ~~month of July 2012, following the January 1 through June 30,~~
14 ~~2012, period.~~

15 Sec. 68. IMMEDIATE EFFECTIVE DATE. This division of this
16 Act, being deemed of immediate importance, takes effect upon
17 enactment.

18 Sec. 69. RETROACTIVE APPLICABILITY. The following sections
19 of this division of this Act apply retroactively to July 1,
20 2011:

21 1. The section relating to the transfer of funds from costs
22 savings under the medical assistance program to appropriations
23 for medical contracts or general administration for the fiscal
24 year beginning July 1, 2011, and ending June 30, 2012.

25 2. The section relating to the nonreversion of
26 decategorization of child welfare and juvenile justice funds.

27 3. The section relating to the distribution of IowaCare
28 program funds.

29 DIVISION IX

30 MISCELLANEOUS

31 Sec. 70. NEW SECTION. 16.185A Supportive and residential
32 services for individuals who meet the psychiatric medical
33 institution for children level of care — competitive grant
34 program fund.

35 1. A supportive and residential services competitive

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1 grant program fund is created within the authority to further
2 the availability of supportive and residential services for
3 individuals who meet the psychiatric medical institution
4 for children level of care under the medical assistance
5 program. The moneys in the fund are annually appropriated to
6 the authority to be used for the development and operation
7 of a competitive grant program to provide financing to
8 construct supportive housing or develop the infrastructure
9 in which to provide supportive services, including through
10 new construction, acquisition and rehabilitation of existing
11 housing or infrastructure, or conversion or adaptive reuse.
12 2. Moneys transferred by the authority for deposit in the
13 competitive grant program fund, moneys appropriated to the
14 competitive grant program, and any other moneys available to
15 and obtained or accepted by the authority for placement in the
16 fund shall be credited to the fund. Additionally, payment of
17 interest, recaptures of awards, and other repayments to the
18 fund shall be credited to the fund. Notwithstanding section
19 12C.7, subsection 2, interest or earnings on moneys in the fund
20 shall be credited to the fund. Notwithstanding section 8.33,
21 moneys credited to the fund from any other fund that remain
22 unencumbered or unobligated at the close of the fiscal year
23 shall not revert to the other fund.
24 3. The authority shall annually allocate moneys available
25 in the fund for the development of supportive housing or the
26 infrastructure in which to provide supportive services for
27 individuals who meet the psychiatric medical institution for
28 children level of care under the medical assistance program.
29 Moneys allocated to such projects shall be in the form of
30 competitive grants. An application submitted shall contain a
31 commitment of at least a dollar-for-dollar match of the grant
32 assistance.
33 4. a. A project shall demonstrate written approval of the
34 project by the department of human services to the authority
35 prior to application for funding under this section.



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1 *b.* In order to be approved by the department of human
2 services for application for funding under this section, a
3 project shall include all of the following components:

4 (1) Provision of services to individuals who meet the
5 psychiatric medical institution for children level of care
6 under the medical assistance program.

7 (2) Policies and procedures that prohibit discharge of the
8 individual from the services provided by the project provider
9 unless an alternative placement that is acceptable to the
10 client or the client's guardian is identified.

11 5. Housing provided through a project under this section is
12 exempt from the requirements of chapter 1350.

13 6. The authority, in collaboration with the department of
14 human services, shall adopt rules pursuant to chapter 17A to
15 administer this section.

16 Sec. 71. Section 97B.39, Code 2011, is amended to read as
17 follows:

18 **97B.39 Rights not transferable or subject to legal process**
19 **— exceptions.**

20 The right of any person to any future payment under this
21 chapter is not transferable or assignable, at law or in
22 equity, and the moneys paid or payable or rights existing
23 under this chapter are not subject to execution, levy,
24 attachment, garnishment, or other legal process, or to the
25 operation of any bankruptcy or insolvency law except for the
26 purposes of enforcing child, spousal, or medical support
27 obligations or marital property orders, or for recovery of
28 medical assistance payments pursuant to section 249A.5. For
29 the purposes of enforcing child, spousal, or medical support
30 obligations, the garnishment or attachment of or the execution
31 against compensation due a person under this chapter shall
32 not exceed the amount specified in 15 U.S.C. § 1673(b).
33 The system shall comply with the provisions of a marital
34 property order requiring the selection of a particular benefit
35 option, designated beneficiary, or contingent annuitant if

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1 the selection is otherwise authorized by this chapter and
2 the member has not received payment of the member's first
3 retirement allowance. However, a marital property order shall
4 not require the payment of benefits to an alternative payee
5 prior to the member's retirement, prior to the date the member
6 elects to receive a lump sum distribution of accumulated
7 contributions pursuant to section 97B.53, or in an amount that
8 exceeds the benefits the member would otherwise be eligible to
9 receive pursuant to this chapter.

10 Sec. 72. Section 135.11, Code Supplement 2011, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 31. Administer a public awareness program
13 for human papillomavirus infection vaccination by identifying
14 medically accurate materials that contain information regarding
15 the risks associated with the various forms of the infection
16 in causing cervical cancer, and any other diseases for which
17 the department may recommend immunization or immunization
18 information, and the availability, effectiveness, and potential
19 risks of those vaccines. The department shall make the
20 identified materials available on the department's internet
21 site, provide education and training to health professionals
22 and the general public regarding the vaccines, and notify
23 each school district in the state of the availability of the
24 information. For the purposes of this subsection, "human
25 papillomavirus" means the group of viruses identified by the
26 centers for disease control and prevention of the United States
27 department of health and human services.

28 Sec. 73. Section 135H.10, subsection 3, Code 2011, is
29 amended by striking the subsection.

30 Sec. 74. Section 144D.4, as enacted by 2012 Iowa Acts, House
31 File 2165, section 5, is amended by adding the following new
32 subsection:

33 NEW SUBSECTION. 10. A POST form executed between July 1,
34 2008, and June 30, 2012, as part of the patient autonomy in
35 health care decisions pilot project created pursuant to 2008

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1 Iowa Acts, chapter 1188, section 36, as amended by 2010 Iowa
2 Acts, chapter 1192, section 58, shall remain effective until
3 revoked or until a new POST form is executed pursuant to this
4 chapter.

5 Sec. 75. Section 225B.8, Code Supplement 2011, is amended
6 to read as follows:

7 **225B.8 Repeal.**

8 This chapter is repealed July 1, ~~2012~~ 2017.

9 Sec. 76. NEW SECTION. **231.45 Certified volunteer long-term**
10 **care resident's advocate program.**

11 1. The department shall establish a certified volunteer
12 long-term care resident's advocate program in accordance with
13 the federal Act to provide assistance to the state and local
14 long-term care resident's advocates.

15 2. The department shall develop and implement a
16 certification process for volunteer long-term care resident's
17 advocates including but not limited to an application process,
18 provision for background checks, classroom or on-site training,
19 orientation, and continuing education.

20 3. The provisions of section 231.42 relating to local
21 long-term care resident's advocates shall apply to certified
22 volunteer long-term care resident's advocates.

23 4. The department shall adopt rules pursuant to chapter 17A
24 to administer this section.

25 Sec. 77. Section 453A.35, Code Supplement 2011, is amended
26 to read as follows:

27 **453A.35 Tax and fees paid to general fund — standing**
28 **appropriation to health care trust fund.**

29 1. ~~a. With the exception of revenues credited to the health~~
30 ~~care trust fund pursuant to paragraph "b", the~~ The proceeds
31 derived from the sale of stamps and the payment of taxes, fees,
32 and penalties provided for under this chapter, and the permit
33 fees received from all permits issued by the department, shall
34 be credited to the ~~general fund of the state.~~

35 ~~b. Of the revenues generated from the tax on cigarettes~~

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1 ~~pursuant to section 453A.6, subsection 1, and from the tax on~~
2 ~~tobacco products as specified in section 453A.43, subsections~~
3 ~~1, 2, 3, and 4, the first one hundred six million sixteen~~
4 ~~thousand four hundred dollars shall be credited to the health~~
5 ~~care trust fund created in section 453A.35A.~~

6 2. All permit fees provided for in this chapter and
7 collected by cities in the issuance of permits granted by the
8 cities shall be paid to the treasurer of the city where the
9 permit is effective, or to another city officer as designated
10 by the council, and credited to the general fund of the city.
11 Permit fees so collected by counties shall be paid to the
12 county treasurer.

13 Sec. 78. Section 453A.35A, subsection 1, Code Supplement
14 2011, is amended to read as follows:

15 1. A health care trust fund is created in the office of
16 the treasurer of state. The fund consists of the revenues
17 ~~generated from the tax on cigarettes pursuant to section~~
18 ~~453A.6, subsection 1, and from the tax on tobacco products~~
19 ~~as specified in section 453A.43, subsections 1, 2, 3, and 4,~~
20 ~~that are credited to the health care trust fund, annually,~~
21 pursuant to section 453A.35 derived from the sale of stamps
22 and the payment of taxes, fees, and penalties provided for
23 under this chapter, and the permit fees received from all
24 permits issued by the department. Moneys in the fund shall be
25 separate from the general fund of the state and shall not be
26 considered part of the general fund of the state. However, the
27 fund shall be considered a special account for the purposes
28 of section 8.53 relating to generally accepted accounting
29 principles. Moneys in the fund shall be used only as specified
30 in this section and shall be appropriated only for the uses
31 specified. Moneys in the fund are not subject to section 8.33
32 and shall not be transferred, used, obligated, appropriated,
33 or otherwise encumbered, except as provided in this section.
34 Notwithstanding section 12C.7, subsection 2, interest or
35 earnings on moneys deposited in the fund shall be credited to

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1 the fund.

2 DIVISION X

3 DIRECT CARE PROFESSIONALS

4 Sec. 79. NEW SECTION. 152F.1 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. *"Board"* means the board of direct care professionals
8 created under chapter 147.

9 2. *"Community living professional"* means a direct care
10 associate who has completed advanced training and is certified
11 to provide home and community living, instrumental activities
12 of daily living, and personal support services.

13 3. *"Direct care associate"* means an individual who has
14 completed core training and is certified to provide direct care
15 services in the state.

16 4. *"Direct care instructor"* means an individual approved
17 by the board to provide direct care instruction to direct care
18 professionals.

19 5. *"Direct care professional"* means an individual who
20 provides direct care services for compensation and is a direct
21 care associate, a community living professional, a health
22 support professional, or a personal support professional.

23 6. *"Direct care services"* means the services provided to
24 individuals who are ill or individuals with disabilities as
25 specified in the individual's service plan or in documented
26 goals, including but not limited to home and community living
27 services, instrumental activities of daily living services,
28 personal activities of daily living services, personal support
29 services, and health monitoring and maintenance services.

30 7. *"Direct care trainer"* means a direct care instructor who
31 is approved by the board to train instructors.

32 8. *"Health monitoring and maintenance services"* means
33 medically-oriented services that assist an individual in
34 maintaining the individual's health including measuring intake
35 and output; providing catheter and ostomy care; collecting

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1 specimens; checking vital signs, including temperature, pulse,
2 respiration, and blood pressure; measuring height and weight;
3 performing range of motion exercises; providing assistance with
4 urinary care; and application of thrombo embolic deterrent hose
5 or hot and cold packs.

6 9. *"Health support professional"* means a direct care
7 associate who has completed advanced training and is certified
8 to provide personal activities of daily living and health
9 monitoring and maintenance services or a direct care associate
10 who has met the federal nurse aide requirements pursuant to 42
11 C.F.R. § 483.152.

12 10. *"Home and community living services"* means services to
13 enhance or maintain independence of individuals including such
14 activities as helping individuals develop and meet personal
15 goals, providing direct physical and emotional support and
16 assistance for persons with disabilities, utilizing crisis
17 intervention and positive behavior supports, and using and
18 following individual support plans.

19 11. *"Instrumental activities of daily living services"* means
20 services provided to assist individuals with daily living tasks
21 to allow them to function independently in a home or community
22 setting, including but not limited to assistance with managing
23 money, transportation, light housekeeping, and shopping and
24 cooking.

25 12. *"Personal activities of daily living services"* means
26 services to assist individuals in meeting basic needs,
27 including but not limited to bathing, back rubs, and skin care;
28 grooming activities; assistance with dressing and undressing;
29 assistance with eating and feeding; assistance with toileting;
30 and assistance with mobility, including transfers, walking, and
31 turning in bed.

32 13. *"Personal support professional"* means a direct care
33 associate who has completed advanced training and is certified
34 to provide instrumental activities of daily living, personal
35 activities of daily living, and personal support services.

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1 14. "*Personal support services*" means support services
2 provided to an individual as the individual performs personal
3 activities of daily living including but not limited to
4 coaching and prompting, and teaching skills and behaviors.

5 15. "*Service plan*" means a written, consumer-centered,
6 outcome-based plan of services.

7 16. "*Specialty endorsement*" means an advanced level of
8 certification based on requirements developed by experts in a
9 particular discipline or professional area and approved by the
10 board.

11 Sec. 80. NEW SECTION. 152F.2 Certification required —
12 exceptions — use of title.

13 1. Unless otherwise exempt under section 152F.4, beginning
14 January 1, 2014, an individual shall not provide direct care
15 services in this state without being certified as a direct care
16 associate.

17 2. An individual who is not certified pursuant to this
18 chapter shall not use words or titles which imply or represent
19 that the individual is certified as a direct care professional
20 under this chapter.

21 3. A direct care associate shall not act as or represent
22 that the individual is a direct care professional with advanced
23 training certification or a specialty endorsement, unless the
24 direct care associate is first certified at the appropriate
25 level of certification under this chapter.

26 4. Notwithstanding any provision to the contrary, an
27 individual who completes advanced training or meets the
28 requirements for a specialty endorsement is not required to
29 be certified at that level if the individual does not act as
30 or represent that the individual is certified at that level.
31 Section 147.83 does not apply to a direct care associate who
32 is not certified as a direct care professional with advanced
33 training certification or a specialty endorsement if the direct
34 care associate does not act as or represent that the individual
35 is certified at that level.



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1 Sec. 81. NEW SECTION. 152F.3 Requirements to obtain
2 certification — renewal — continuing education — reciprocity.
3 1. An applicant for certification as a direct care associate
4 shall present evidence satisfactory to the board that the
5 applicant meets all of the following requirements:
6 a. The applicant has successfully completed the required
7 education for the certification from a board-approved direct
8 care instructor or direct care trainer.
9 b. The applicant has paid all fees required by the board.
10 c. The applicant certifies that the applicant will conduct
11 all professional activities in accordance with standards for
12 professional conduct established by the board.
13 2. An applicant for certification as a direct care
14 professional with advanced training or a specialty endorsement
15 shall present evidence satisfactory to the board that the
16 applicant meets all of the following requirements:
17 a. The applicant has successfully completed the required
18 education for the certification from a board-approved direct
19 care instructor or direct care trainer.
20 b. The applicant has paid all fees required by the board.
21 c. The applicant has passed a state examination approved by
22 the board.
23 d. The applicant certifies that the applicant will conduct
24 all professional activities in accordance with standards for
25 professional conduct established by the board.
26 3. An individual shall renew the individual's certification
27 biennially. Prior to such renewal, the individual shall
28 present evidence that the individual has satisfied continuing
29 education requirements and shall pay a renewal fee as
30 determined by the board.
31 4. The board shall issue the appropriate certification to an
32 applicant who demonstrates experience in direct care services
33 in another state and meets the requirements established by the
34 board for the specific certification.
35 Sec. 82. NEW SECTION. 152F.4 Scope of chapter.

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1 1. The provisions of this chapter do not apply to any of the
2 following:

3 a. An individual who is providing direct care services
4 and is governed by a collective bargaining agreement in place
5 before July 1, 2017, until the expiration of such agreement.

6 b. An individual providing direct care services to a family
7 member.

8 c. An individual otherwise licensed who is operating within
9 the scope of that license and who does not represent to the
10 public that the individual is a direct care professional.

11 2. This chapter shall not be interpreted to preclude
12 an individual who provides direct care services but is not
13 otherwise required to be certified under this chapter from
14 being certified under this chapter on a voluntary basis.

15 Sec. 83. NEW SECTION. 152F.5 Duties of the board.

16 The board shall do all of the following:

17 1. Adopt rules consistent with this chapter, chapter 147,
18 chapter 272, and the recommendations of the direct care worker
19 advisory council established pursuant to 2008 Iowa Acts,
20 chapter 69, which are necessary for the performance of its
21 duties.

22 2. Adopt rules to provide a transition process that allows
23 individuals providing direct care services on or before January
24 1, 2014, who are subject to the certification requirements
25 of this chapter, to continue providing direct care services
26 while completing certification under this chapter. The rules
27 shall provide that certification requirements for an individual
28 subject to the transition process are based on consideration
29 of previous training, employment history, and experience. An
30 individual subject to the transition process shall complete the
31 requirements for direct care associate certification within a
32 time frame determined by rule of the board.

33 3. Establish curriculum requirements for health support
34 professionals. The curriculum requirements established shall
35 not exceed the curriculum requirements specified for nurse



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1 aides pursuant to 42 C.F.R. § 483.152, without prior approval
2 of sixty percent of the members of the board and prior approval
3 of the department of inspections and appeals.

4 4. Require an individual to undergo criminal history
5 and child and dependent adult abuse record checks prior
6 to certification, and establish record checks requirements
7 applicable to direct care professionals consistent with section
8 135C.33.

9 5. Establish dependent adult abuse reporting and training
10 requirements consistent with chapters 235B and 235E, as
11 applicable.

12 6. Establish standards and guidelines for certification
13 reciprocity.

14 7. Establish standards and guidelines for direct care
15 professionals, including minimum curriculum requirements.

16 8. Prepare and conduct, or prescribe, an examination for
17 applicants for certification.

18 9. Establish standards and guidelines for direct care
19 instructors and direct care trainers, including minimum
20 curriculum requirements and continuing education requirements.
21 Training and continuing education guidelines shall provide
22 diverse options for completion of the training and continuing
23 education, as appropriate, including but not limited to online,
24 employer-based, or educational institution-based opportunities.

25 10. Define educational activities which fulfill continuing
26 education requirements for renewal of certification.

27 11. Establish guidelines for inactive certification status
28 and inactive certification reentry.

29 Sec. 84. NEW SECTION. 152F.6 Certification suspension and
30 revocation.

31 A certification issued by the board under this chapter may be
32 suspended or revoked, or renewal of certification may be denied
33 by the board, for violation of any provision of this chapter,
34 section 147.55 or 272C.10, or rules adopted by the board.

35 Sec. 85. Section 10A.402, subsection 1, Code 2011, is



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1 amended to read as follows:

2 1. Investigations relative to the practice of regulated
3 professions and occupations, except those within the
4 jurisdiction of the board of medicine, the board of pharmacy,
5 the dental board, ~~and the board of nursing, and the board of~~
6 direct care professionals.

7 Sec. 86. Section 135.11A, Code 2011, is amended to read as
8 follows:

9 **135.11A Professional licensure division — other licensing**
10 **boards — expenses — fees.**

11 1. There shall be a professional licensure division within
12 the department of public health. Each board under chapter 147
13 or under the administrative authority of the department, except
14 the board of nursing, board of medicine, dental board, ~~and~~
15 board of pharmacy, and board of direct care professionals shall
16 receive administrative and clerical support from the division
17 and may not employ its own support staff for administrative and
18 clerical duties.

19 2. The professional licensure division and the licensing
20 boards may expend funds in addition to amounts budgeted, if
21 those additional expenditures are directly the result of actual
22 examination and exceed funds budgeted for examinations. Before
23 the division or a licensing board expends or encumbers an
24 amount in excess of the funds budgeted for examinations, the
25 director of the department of management shall approve the
26 expenditure or encumbrance. Before approval is given, the
27 department of management shall determine that the examination
28 expenses exceed the funds budgeted by the general assembly
29 to the division or board and the division or board does not
30 have other funds from which examination expenses can be paid.
31 Upon approval of the department of management, the division
32 or licensing board may expend and encumber funds for excess
33 examination expenses. The amounts necessary to fund the excess
34 examination expenses shall be collected as fees from additional
35 examination applicants and shall be treated as repayment

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1 receipts as defined in section 8.2.

2 Sec. 87. Section 135.31, Code 2011, is amended to read as
3 follows:

4 135.31 Location of boards — rulemaking.

5 The offices for the board of medicine, the board of pharmacy,
6 the board of nursing, ~~and~~ the dental board, and the board
7 of direct care professionals shall be located within the
8 department of public health. The individual boards shall have
9 policymaking and rulemaking authority.

10 Sec. 88. Section 147.1, subsections 3 and 6, Code 2011, are
11 amended to read as follows:

12 3. “*Licensed*” or “*certified*”, when applied to a physician
13 and surgeon, podiatric physician, osteopathic physician and
14 surgeon, physician assistant, psychologist, chiropractor,
15 nurse, dentist, dental hygienist, dental assistant,
16 optometrist, speech pathologist, audiologist, pharmacist,
17 physical therapist, physical therapist assistant, occupational
18 therapist, occupational therapy assistant, respiratory care
19 practitioner, practitioner of cosmetology arts and sciences,
20 practitioner of barbering, funeral director, dietitian, marital
21 and family therapist, mental health counselor, social worker,
22 massage therapist, athletic trainer, acupuncturist, nursing
23 home administrator, hearing aid dispenser, ~~or~~ sign language
24 interpreter or transliterator, or direct care professional
25 means a person licensed under this subtitle.

26 6. “*Profession*” means medicine and surgery, podiatry,
27 osteopathic medicine and surgery, practice as a physician
28 assistant, psychology, chiropractic, nursing, dentistry,
29 dental hygiene, dental assisting, optometry, speech pathology,
30 audiology, pharmacy, physical therapy, physical therapist
31 assisting, occupational therapy, occupational therapy
32 assisting, respiratory care, cosmetology arts and sciences,
33 barbering, mortuary science, marital and family therapy, mental
34 health counseling, social work, dietetics, massage therapy,
35 athletic training, acupuncture, nursing home administration,

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1 hearing aid dispensing, ~~or~~ sign language interpreting or
2 transliterating, or practice as a direct care professional.

3 Sec. 89. Section 147.2, subsection 1, Code 2011, is amended
4 to read as follows:

5 1. A person shall not engage in the practice of medicine
6 and surgery, podiatry, osteopathic medicine and surgery,
7 psychology, chiropractic, physical therapy, physical therapist
8 assisting, nursing, dentistry, dental hygiene, dental
9 assisting, optometry, speech pathology, audiology, occupational
10 therapy, occupational therapy assisting, respiratory care,
11 pharmacy, cosmetology arts and sciences, barbering, social
12 work, dietetics, marital and family therapy or mental health
13 counseling, massage therapy, mortuary science, athletic
14 training, acupuncture, nursing home administration, hearing aid
15 dispensing, or sign language interpreting or transliterating,
16 or shall not practice as a physician assistant or as a direct
17 care professional, unless the person has obtained a license for
18 that purpose from the board for the profession.

19 Sec. 90. Section 147.13, Code 2011, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 24. For direct care professionals, the
22 board of direct care professionals.

23 Sec. 91. Section 147.14, subsection 1, Code 2011, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. x. For the board of direct care
26 professionals, a total of eleven members, six of whom are
27 direct care professionals who represent diverse settings and
28 populations served, two members of the public, one registered
29 nurse who serves as a direct care instructor, one human
30 services professional who serves as a direct care instructor,
31 and one licensed nursing home administrator.

32 Sec. 92. Section 147.74, Code 2011, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 24. A direct care professional certified
35 under chapter 152F and this chapter may use the following:

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1 *a.* A direct care professional certified as a direct care
2 associate may use the title "direct care associate" or the
3 letters "D.C.A." after the person's name.
4 *b.* A direct care professional certified as a community
5 living professional may use the title "community living
6 professional" or the letters "C.L.P." after the person's name.
7 *c.* A direct care professional certified as a personal
8 support professional may use the title "personal support
9 professional" or the letters "P.S.P." after the person's name.
10 *d.* A direct care professional certified as a health support
11 professional may use the title "health support professional" or
12 the letters "H.S.P." after the person's name.
13 *e.* A direct care professional certified with a specialty
14 endorsement may use the title or letters determined by the
15 specialty endorsement entity and approved by the board of
16 direct care professionals.
17 *f.* A direct care professional who complies with federal
18 nurse aide requirements pursuant to 42 C.F.R. § 483.152 may use
19 the title "certified nursing assistant" or the letters "C.N.A."
20 after the person's name.
21 Sec. 93. Section 147.80, subsection 3, Code 2011, is amended
22 to read as follows:
23 3. The board of medicine, the board of pharmacy, the dental
24 board, ~~and the board of nursing, and the board of direct care~~
25 professionals shall retain individual executive officers, but
26 shall make every effort to share administrative, clerical, and
27 investigative staff to the greatest extent possible.
28 Sec. 94. Section 147.88, Code 2011, is amended to read as
29 follows:
30 **147.88 Inspections and investigations.**
31 The department of inspections and appeals may perform
32 inspections and investigations as required by this subtitle,
33 except inspections and investigations for the board of
34 medicine, board of pharmacy, board of nursing, ~~and the dental~~
35 board, and the board of direct care professionals. The



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1 department of inspections and appeals shall employ personnel
2 related to the inspection and investigative functions.

3 Sec. 95. Section 272C.1, subsection 6, Code 2011, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *ag.* The board of direct care professionals,
6 created pursuant to chapter 147.

7 Sec. 96. TRANSITION PROVISIONS.

8 1. An individual providing direct care services on or
9 before January 1, 2014, who is subject to the certification
10 requirements of this division of this Act, may continue
11 providing direct care services while completing certification
12 as required under this division of this Act. The board of
13 direct care professionals shall adopt rules to provide that
14 certification requirements for an individual subject to the
15 transition process are based on consideration of previous
16 training, employment history, and experience, and require
17 such individuals to complete the requirements for direct care
18 associate certification within the time frame determined by
19 rule of the board.

20 2. An individual who is registered on or before January
21 1, 2014, on the Iowa direct care worker registry established
22 by the department of inspections and appeals, is deemed to
23 meet the certification requirements for a health support
24 professional under this division of this Act.

25 3. Notwithstanding sections 147.14 and 147.16, for the
26 initial board of direct care professionals, the governor may
27 appoint, subject to confirmation by the senate, in lieu of the
28 six members required to be direct care professionals and the
29 two members required to be direct care instructors, members
30 with experience and expertise that is substantially equivalent
31 to the professional requirements for a direct care professional
32 or direct care instructor, as applicable.

33 Sec. 97. IMPLEMENTATION. The provisions of this division of
34 this Act shall be implemented as follows:

35 1. The sections of this division of this Act relating to



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1 the board of direct care professionals including sections
2 152F.1 and 152F.5, as enacted in this division of this Act;
3 sections 10A.402, 135.11A, 135.31, 147.13, 147.14, 147.80,
4 147.88, and 272C.1, as amended in this division of this Act,
5 and as specified in the transition provisions; and the section
6 of this division of this Act providing transition provisions
7 relating to the board shall be implemented so that a board of
8 direct care professionals is appointed no later than December
9 15, 2012.

10 2. The sections of this division of this Act relating to
11 requirements for certification of direct care professionals
12 including sections 152F.2, 152F.3, 152F.4, and 152F.6, as
13 enacted in this division of this Act; and sections 147.1,
14 147.2, and 147.74, as amended in this division of this Act,
15 shall be implemented so that the requirements are applicable
16 beginning no later than January 1, 2014.

17 Sec. 98. FUNDING PROVISIONS.

18 1. The department of public health shall limit the indirect
19 service charge for the board of direct care professionals to
20 not more than fifteen percent.

21 2. It is the intent of the general assembly that the board
22 of direct care professionals be self-sustaining by January 1,
23 2017.

24 Sec. 99. EFFECTIVE UPON ENACTMENT. This division of this
25 Act, being deemed of immediate importance, takes effect upon
26 enactment.

27 EXPLANATION

28 This bill relates to appropriations for health and human
29 services for fiscal year 2012-2013 to the department of
30 veterans affairs, the Iowa veterans home, the department on
31 aging, the department of public health, Iowa finance authority,
32 state board of regents, department of inspections and appeals,
33 and the department of human services. The appropriations were
34 previously enacted in 2011 Iowa Acts, chapter 129 (H.F. 649).
35 The bill is organized into divisions.

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1 DEPARTMENT ON AGING. This division amends appropriations
2 made from the general fund of the state for the department on
3 aging.

4 DEPARTMENT OF PUBLIC HEALTH. This division amends
5 appropriations made from the general fund of the state for the
6 department of public health.

7 DEPARTMENT OF VETERANS AFFAIRS. This division amends
8 appropriations made from the general fund of the state for the
9 department of veterans affairs.

10 DEPARTMENT OF HUMAN SERVICES. This division amends
11 appropriations made from the general fund of the state and the
12 federal temporary assistance for needy families block grant to
13 the department of human services (DHS). The allocation for the
14 family development and self-sufficiency grant program is made
15 directly to the department of human rights.

16 Appropriations are made from the health care trust fund for
17 the medical assistance (Medicaid) program in addition to the
18 general fund appropriations made for this purpose.

19 The reimbursement section addresses reimbursement for
20 providers reimbursed by the department of human services.

21 HEALTH CARE ACCOUNTS AND FUNDS. This division amends
22 appropriations made for fiscal year 2012-2013.

23 The appropriation from the pharmaceutical settlement account
24 to the department of human services supplements the Medicaid
25 program medical contracts appropriation.

26 The appropriations from the IowaCare account are made to
27 the state board of regents for distribution to the university
28 of Iowa hospitals and clinics and to the department of human
29 services for distribution to a publicly owned acute care
30 teaching hospital in a county with a population over 350,000
31 related to the IowaCare program and indigent care.

32 The appropriation from the nonparticipating provider
33 reimbursement fund is made to the department of human services
34 to reimburse nonparticipating providers under the IowaCare
35 program.



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1 The appropriations to the department of human services from
2 the account for health care transformation are directed to
3 various health care reform initiatives.

4 The appropriation from the Medicaid fraud fund is made to
5 the department of inspections and appeals for costs relating to
6 assisted living programs and adult day care services.

7 The appropriations made to supplement the Medicaid program
8 are from the following funds and account: quality assurance
9 trust fund, hospital health care access trust fund, and
10 Medicaid fraud fund.

11 The division provides that if the total amounts appropriated
12 from all sources for the medical assistance program for fiscal
13 year 2012-2013 exceed the amount needed, the excess remains
14 available to be used for the program in the succeeding fiscal
15 year.

16 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN. This
17 division addresses appropriations associated with redesign of
18 mental health and disability services redesign.

19 PRIOR APPROPRIATIONS AND RELATED CHANGES. This division
20 revises appropriations and related provisions involving
21 previous fiscal years. The division takes effect upon
22 enactment.

23 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
24 CONTINGENCY FUND. This division makes appropriations provided
25 through the federal child enrollment contingency fund to the
26 department of human services for fiscal years 2011-2012 and
27 2012-2013. The section making appropriations for fiscal year
28 2011-2012 takes effect upon enactment and is retroactively
29 applicable to July 1, 2011.

30 MISCELLANEOUS. This division provides miscellaneous
31 statutory amendments.

32 New Code section 16.185A creates a competitive grant program
33 and fund to further the availability of residential services
34 for individuals who meet the psychiatric medical institution
35 for children level of care.



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1 Code section 97B.39, relating to Iowa public employees'
2 retirement system (IPERS) payments, is amended to include
3 recovery of Medicaid program payments related to estate
4 recovery in the list of exceptions that allow IPERS payments
5 to be subject to execution, levy, attachment, garnishment,
6 or other legal process, or to the operation of bankruptcy or
7 insolvency law.

8 Code section 135.11, relating to the duties of the director
9 of public health, is amended to add new subsection 31,
10 requiring the director to administer a public awareness program
11 for human papillomavirus infection vaccination.

12 Code section 135H.10, relating to administrative rules
13 addressing psychiatric medical institutions for children
14 (PMICs) is amended to strike a prohibition against the
15 department of human services including services provided by
16 PMICs in any managed care contract.

17 Code section 144D.4, as enacted by 2012 Iowa Acts, House File
18 2165, section 5, is amended to allow physician orders for scope
19 of treatment executed under a pilot project to remain effective
20 until revoked or until a new form is executed.

21 Code section 225B.8, relating to the prevention of
22 disabilities council, is amended to extend the repeal of the
23 council from July 1, 2012, until July 1, 2017.

24 Code section 231.45 is enacted to direct the department
25 on aging to establish a certified volunteer long-term care
26 resident's advocate program.

27 Code sections 453A.35 and 453A.35A are amended to provide
28 that all of the proceeds derived from the sale of stamps and
29 the payment of taxes, fees, and penalties under Code chapter
30 453A (cigarette and tobacco taxes) and from permits issued by
31 the department of revenue are to be credited to the health care
32 trust fund rather than the general fund of the state.

33 DIRECT CARE PROFESSIONALS. This division establishes a
34 board of direct care professionals within the department of
35 public health and provides for certification of direct care



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1 professionals in the state.